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ON  
FEDERAL CONTROL OF COMMERCE  
AND CORPORATIONS

SPECIAL ASPECTS AND APPLICATIONS

COMPILED UNDER THE DIRECTION OF  
HERMANN H. B. MEYER  
CHIEF BIBLIOGRAPHER



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## PREFATORY NOTE

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In March 1913 the first part of a "List of references on Federal control of commerce and corporations" was published by the Library. It was made up of references of a general character on Interstate commerce, the Constitutional question involved, the Interstate commerce commission, and the Sherman antitrust act. The second part, here offered, is devoted to various special aspects of the subject; to the ways, for example, in which Federal control is to be exercised, by Federal incorporation or licensing, by Federal taxation, by the regulation of capitalization, by the supervision of accounts, etc.; and to the means by which Federal control is to be accomplished through the Interstate commerce commission, the Commerce court, or other such agency. References are also given on the application of Federal control to railroads, express companies, the telegraph and telephone, etc., to interstate liquor shipments, to bills of lading, and to industrial combinations or trusts; and, finally, (see the Table of contents) to the more important litigation which has contributed to the development of the subject of Federal control of commerce and corporations. A full analytical index discloses the more minute ramifications of the subject.

H. H. B. MEYER  
*Chief Bibliographer*

HERBERT PUTNAM  
*Librarian of Congress*  
Washington, D. C., January 20, 1914



# REGULATION OF INTERSTATE COMMERCE

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*Its Proceedings, Jan. 1912, v. 2: 201-235.*

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- 2 Barnes, Harold Edgar and Byron A. Milner, comp.** Selected cases in constitutional law. [3d ed.]

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- 3 Briggs, Samuel W., comp.** Regulation of interstate commerce. History of bills and resolutions introduced in Congress respecting federal regulation of interstate commerce by railways, etc., from the Thirty-seventh Congress to the Sixty-second Congress, inclusive, 1862-1913.

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- 4 Daish, John Broughton.** Memorandum on jurisdiction of courts with respect to orders of the Interstate commerce commission.

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"Interstate commerce": p. 962-966; "Monopolies and corporate trusts": p. 1155-1162.

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- 6 **Gilmore, Eugene A.** Interstate commerce law.  
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- 8 **Jeffery, James C.** The Interstate commerce commission.  
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- 10 **Lust, Herbert C. and Ralph Merriam.** Digest of decisions under the Interstate commerce act, from 1908.  
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- 17 **Belsterling, Charles Stearne.** Digest of decisions of the federal courts and Interstate commerce commission in the matter of transit privileges.  
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- 20 **De Land, Charles E.** Federal and state co-operation on rates.  
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- 36 ——— *Senate. Committee on interstate commerce.* Right of shippers to appeal. Hearings on H. R. 25751, a bill to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and for other purposes. July 23, 1912. Part I.  
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- 38 **Cleveland, Frederick Albert and Fred Wilbur Powell.** Railroad finance.  
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- 39 **Escher, F.** Proposed federal control of railway security issues.  
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- 40 **Fink, Henry.** Federal regulation of railroad securities and valuation of railroad properties; letter to the Railroad securities commission in reply to their request for information and opinions.  
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- 41 **Haines, Henry Stevens.** Problems in railway regulation.  
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 Federal control of stock and bond issues of interstate carriers: p. 209-238.  
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- 42 **Hines, Walker Downer.** Statement before Railroad securities commission at New York, December 22, 1910.  
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- 43 **Lane**, Franklin K. Railroad capitalization and federal regulation.  
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- 44 **Lawton**, W. H. Government regulation of securities.  
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- 46 **Nation** [Editorial]. The Railway securities report.  
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- 50 **Smalley**, Harrison S. The regulation of railway capitalization.  
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- 52 **Stiles**, Meredith Newcomb. Problems of the Railroad securities commission.  
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- 61 **Adams**, Henry C. Administrative supervision of railways under the twentieth section of the act to regulate commerce.

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Relates to the provision for the supervision of railway accounts by the Interstate commerce commission. HB1.Q3,v.22

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- 63 **Baker**, J. Newton. The Commerce court: its origin, its powers and its judges.

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- 64 **Bryan**, James Wallace. The railroad bill and the Court of commerce.

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- 66 **Dixon**, Frank H. The Mann-Elkins act, amending the Act to regulate commerce.

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- 67 **Dunn**, Samuel O. The Commerce court question.

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- 68 **Fowler, James A.** The Commerce court.  
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- 69 **Haines, Henry Stevens.** Problems in railway regulation.  
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- 70 **Hines, Walker Downer.** United States Commerce court. The extent and character of the jurisdiction of the Commerce court over "cases brought to enjoin, set aside, annul, or suspend in whole or in part any order of the Interstate commerce commission." Brief filed by leave of court.  
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- 71 **Johnson, Emory Richard and Grover G. Huebner.** Railroad traffic and rates.  
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- 72 **Moore, R. Walton and Frank W. Gwathmey.** Court without jurisdiction. Power to award reparation to shippers when same has been denied by Commission not vested in Commerce court.  
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- 73 **Morgan, Appleton.** Wanted—A railway court of last resort.  
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- 74 **Oberlin, Paca.** Equitable jurisdiction of Commerce court over dismissal orders of Interstate commerce commission.  
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- 75 **Railway world** [Editorial]. Growing demand for Commerce court.  
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- 76 **Ripley, William Z.** Present problems in railway regulation.  
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- 79 **Thom, Alfred P.** United States commerce court. The jurisdiction of the Commerce court, considered from the standpoint of the constitutional right of a carrier to charge a reasonable compensation for each service.  
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- 80 **U. S. Congress.** Debate in the Senate and House of representatives, Mar. 3-June 18, 1910, on S. 6737 and H. R. 17536, bills to create a court of commerce.  
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 For page references see "History of bills and joint resolutions" in sessional index.  
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- 81 ——— Debate in the Senate and House of representatives, May 9, June 8, 11, Aug. 7, 15, 1912, on the proposed abolition of the Commerce court.  
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- 82 ——— *House. Committee on interstate and foreign commerce.* Hearings before the Committee on H. R. 19078 to abolish the Commerce court, and for other purposes. March 14, 1912.  
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- 83 ——— ——— ——— Hearings before the Committee on H. R. 25596 and H. R. 25572, regarding the review of decisions of Interstate commerce commission by the Commerce court. July 23-Aug. 3, 1912.  
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- 13886°—14—2

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[Washington, Govt. print. off., 1910.] 164 p. 23<sup>cm</sup>. (61st Cong., 2d sess. House. Rept. 923.)

Union calendar no. 176.

Submitted by Mr. Mann, committed to the Committee of the whole House, and ordered printed, April 1, 1910.

The bill reported includes the provision for a commerce court.

10-35406

HE2710.A2 1910

- 85 ———— To abolish the Commerce court. Report. <To accompany H. R. 19078.>

[Washington. Govt. print. off., 1912.] 27 p. 23½<sup>cm</sup>. (62d Cong., 2d sess. House. Rept. 472.)

Union calendar no. 159.

Submitted by Mr. Sims. Ordered printed March 29, 1912.

Views of the minority signed by F. C. Stevens, John J. Esch, and others.

12-35459

HE2705.1912.A3

- 86 ———— Senate. Committee on interstate commerce. Commerce court. Hearings on S. 3297, a bill to amend the act entitled "An act to create a commerce court, and so forth," approved June 18, 1910. February 24, 1912. Part. I. Washington, Govt. print. off., 1912. 51 p. 23½<sup>cm</sup>.

HE2707.A3.1912b

- 87 ———— Court of commerce, railroad rates, etc. Hearing on the bills S. 3776 and S. 5106, February 3 and 4 [to February 18] 1910.

Washington, Govt. print. off., 1910. 70, [2], 71-198, [2], 199-216, [2], 217-263 p. 23<sup>cm</sup>.

Series 1-3, 6.

Stephen B. Elkins, chairman.

- 88 ———— Index to hearings on Court of commerce, railroad rates, etc. (S. 3776 and S. 5106), February 3-18, 1910.

Washington, Govt. print. off., 1910. 5 p. 23<sup>cm</sup>.

10-24110-11†

HE2707.A3 1910d

- 89 ———— Court of commerce. Report. <To accompany S. 6737.>

[Washington, Govt. print. off., 1910.] 47 p. 23<sup>cm</sup>. (61st Cong., 2d sess. Senate. Rept. 355.)

Calendar no. 292.

Submitted by Mr. Elkins; ordered printed March 7, 1910.

"Views of the minority" signed by Albert B. Cummins and Moses E.

Clapp: pt. 2, p. 17-28; "Views of Mr. Newlands": pt. 3, p. 29-47.

10-35285-6

HE2705.1910.C3

- 90 **U. S.** *Dept. of justice.* Cases brought in the Commerce court. Letter from the Attorney general, transmitting, in response to Senate resolution of June 10, 1912, information relative to the cases brought in the United States Commerce court.

*Washington, Govt. print. off., 1912. 538 p. 23<sup>cm</sup>. (62d Cong., 2d sess. Senate. Doc. 789.)*

George W. Wickersham, Attorney general.

12-35829

HE2707.C5 1912

- 91 ——— *Laws, statutes, etc.* The act to regulate commerce (as amended) and acts supplementary thereto: Commerce court act, Safety appliance acts, Act requiring monthly reports of accidents, Arbitration act, Hours of service act, Boiler inspection act. Pub. by the Interstate commerce commission. Revised to July 1, 1911.

*Washington, Govt. print. off., 1911. 112 p. 24<sup>cm</sup>.*

11-35734

HE2710.A2 1911

## EXPRESS COMPANIES

Includes some material on government ownership and the extension of the parcels post to cover all express business. Such material as a rule treats of present conditions and the need for government interference by control or ownership.

- 92 [Allen, P. L.] The public and the express companies.

*Nation, July 13, 1905, v. 81: 28.*

AP2.N2,v.81

- 93 **Alston, Robert C.** Effect of Congressional enactments upon state statutes and decisions in reference to the valuation of shipments.

*Express gazette, Oct. 1909, v. 34: 289-290.*

Extracts from "A brief on the validity of the fifty dollar clause of express receipts in Georgia" prepared for the Southern express company.

HE5880.E8,v.34

- 94 **Atwood, Albert W.** The great express monopoly.

*American magazine, Feb.-Apr. 1911, v. 71: 427-439; 620-630; 758-770.*

AP2.A346,v.71

- 95 **California.** *Legislature. Senate. Committee on federal relations.* In the matter of the investigation of the increase in freight and express rates. Transcript of testimony given before the Committee on federal relations, thirty-eighth session, 1909.

[Sacramento], *Printed at the State printing office, 1909. 48 p. 23<sup>cm</sup>.*

9-22865

HE1853.C2A5 1909

- 96 **Chandler, W. H.** The express service and rates.  
*Chicago, La Salle extension university, [c1912].* iv, 3-207 p.  
 fold. forms. 22½ cm.  
 National regulation of express companies: p. 49-53.  
 12-17994 **HE5896.C4**
- 97 **Dabney, W. D.** The public regulation of railways.  
*New York & London, G. P. Putnam's sons, 1889.* v, 281 p.  
 20 cm. (*Questions of the day.* no. LX.)  
 "The case of the express companies before Congress and the [Inter-  
 state commerce] commission": p. 271-278.  
 8-31625 **HE1051.D2**
- 98 **Dixon, F. H.** Publicity for express companies.  
*Atlantic monthly, July, 1905, v. 96:* 1-8. **AP2A8,v.96**
- 99 **Express companies and the federal law.** By a staff contributor.  
*Railway world, Aug. 31, Sept. 7, 1906, v. 50:* 737-739; 759-  
 761.  
 CONTENTS.—I. Nature and volume of business.—II. Corporate or-  
 ganization and business methods. **TF1.R68,v.50**
- 100 **Gardner, Obadiah.** The parcel post and postal express situa-  
 tion in Congress. Letter to the people of the United  
 States.  
*[Washington, Govt. print. off., 1912.]* 6 p. 23½ cm. ([U. S.]  
 62d Cong., 2d sess. Senate. Doc. 490.)  
 12-35471 **HE6471.G3**
- 101 **Hampton, George P.** Memorial relative to a postal express.  
 The opposition of the local merchant explained and  
 answered by the zone system. From the testimony of  
 Mr. George P. Hampton, representing the Farmers' na-  
 tional committee on postal reform and the Postal express  
 federation. Hearings of the subcommittee of the Senate  
 committee on post offices and post roads, December 29,  
 1911.  
*Washington, Govt. print. off., 1912.* 9 p. 22½ cm. ([U. S.]  
 62d Cong., 2d sess. Senate. Doc. 557.)  
 12-35475 **HE6471.H3**
- 102 **Hubbard, Elbert.** [Interstate commerce commission's investi-  
 gation of the express companies.]  
*World to-day, Jan. 1912, v. 21:* 1677-1678. **AP2.W75,v.21**

- 103 **Jackman**, William James and Mark H. **Salt**. Express service and water transportation.  
*Minneapolis, Minn., University extension society*, [c1912].  
 432 p. 24<sup>cm</sup>. (*Interstate commerce course*, vol. IV.)  
 "Changes ordered by [Interstate commerce] commission": p. 221-234.  
 12-25413 HE5896.J2
- 104 **Johnson**, Emory Richard and Grover G. **Huebner**. Railroad traffic and rates.  
*New York and London, D. Appleton and company*, 1911. 2 v. maps (partly fold.) forms (partly fold.) 21½<sup>cm</sup>. (*Appleton's railway series*, ed. by E. R. Johnson.)  
 Contains references.  
 The express service: v. 2, p. 259-323; Public regulation of express companies: p. 318-322.  
 11-1844 HE1821.J6
- 105 **Johnstone**, James E. Express companies and the Hepburn bill.  
*Freight, July-Nov. 1906*, v. 5: 18-19, 64-66, 114-115, 207-211.  
HE2122.T7,v.5
- 106 **Lane**, Franklin K. The federal hand on express business.  
*Independent*, Jan. 9, 1913, v. 74: 95-98. AP2.I53,v.74
- 107 **Lewis**, David John. The high cost of living; a problem in transportation—relief to consumers through a system of postal express. Speech in the House of representatives, February 3, 1912.  
*Congressional record*, 62d Cong., 2d sess., v. 48, pt. 2: 1700-1705. J11.R5,v.48,pt.2  
 Also issued separately, Washington, 1912.
- 108 ——— Postal express as a solution of the parcels post and high cost of living problems. An adequate express service. Relief to consumers and shippers by a reduction of charges and extension of service to the country through rural delivery. A study in the economics of the transport of small shipments.  
*Washington*, [Govt. print. off.], 1912. 97 p. incl. tables. 23½<sup>cm</sup>. ([U. S.] 62d Cong., 2d sess. Senate. Doc. 379.)  
 12-35386 HE6471.L42

- 109 **Lewis, David John.** A system of postal express to include both country merchants and farmers or express company monopoly, prohibitive rates, and inadequate service—Which? Speech in the House of representatives, June 8, 1911.

*Washington, [Govt. print. off.], 1911. 32 p. incl. tables. 25½ cm.*

CA 11-1936

HE6471.L4

————— Same.

*Congressional record, v. 47, pt. 2: 1769-1788.*

J11.R5,v.47,pt.2

- 110 **Merritt, A. N.** Shall the scope of governmental functions be enlarged so as to include the express business?

*Journal of political economy, July, 1908, v. 16: 417-435.*

HB1.J7,v.16

- 111 **Parsons, Frank.** The railways, the trusts, and the people. With the assistance of Ralph Albertson. Ed. by C. F. Taylor.

*Philadelphia, C. F. Taylor, [1905]. 2 v. in 1. diagr. 23 cm. (Equity series, vol. VII, no. 3-4.)*

"The express": p. 156-169.

6-46268

HE1051.P3

- 112 **Statement of express officials upon the Interstate commerce report.**

*Express gazette, Aug. 1912, v. 37: 231.*

HE5880.E8,v.37

- 113 **U. S. Congress. House. Committee on interstate and foreign commerce.** Charges for transportation of parcels by express companies. Report. <To accompany H. R. 12810.>

*[Washington, Govt. print. off., 1912.] 3 p. 23½ cm. (62d Cong., 2d sess. House. Rept. 485.)*

Submitted by Mr. Adamson. Ordered printed April 3, 1912.

12-35454

HE5898.A5 1912

- 114 ————— **Postal express. Report.** <To accompany H. R. 23713.>

*[Washington, Govt. print. off., 1912.] 9 p. 23 cm. (62d Cong., 2d sess. House. Rept. 597.)*

Submitted by Mr. Goeke. Ordered printed April 25, 1912.

12-35619

HE6471.A4 1912b

- 115 U. S. Congress. House. Committee on post-office and post-roads. Parcels post. Hearings before subcommittee no. 4, June 1911.

Washington, [Govt. print. off.], 1911. 87 p. incl. tables. 23<sup>cm</sup>.

James T. Lloyd, chairman.

On cover: A system of postal express. Are parcels-post schemes adequate? What shall we do with the express companies, their prohibitive rates and inadequate service? An economic study by Hon. David J. Lewis.

Statement of Mr. Lewis, with appendices.

11-34666

HE6471.A4 1911a

- 116 ——— Senate. Committee on interstate commerce. Hearing on the bill S. 6668, to prevent express companies from transporting commodities in which they have ownership or interest. January 22, 1909. Series no. 12.

Washington, Govt. print. off., 1909. 35 p. 23<sup>cm</sup>.

9-35166

HE5898.A5 1909

- 117 ——— Industrial commission. Report on transportation, including testimony, review and topical digest of evidence. Washington, Govt. print. off., 1900-01. 2 v. map, facsims., tab., diagrs. 23½<sup>cm</sup>. (*The Commission's Reports*, vol. iv, ix.)

Regulation of express companies: see indexes under express companies.

4-18094/6

HC101.A3,v.4,9

- 118 ——— Interstate commerce commission. Alleged purchase and sale of commodities by express companies. Letter from the chairman of the Interstate commerce commission transmitting, in response to a Senate resolution of March 2, 1907, a report of its investigations.

[Washington, Govt. print. off., 1908.] 15 p. 23<sup>cm</sup>. (60th Cong., 1st sess. Senate. Doc. 468.)

5266

8-35470

HE5894 1908

- 119 ——— No. 4198. In the matter of express rates, practices, accounts, and revenues. Submitted March 1, 1912. Decided June 8, 1912.

(In its Interstate commerce commission reports. Decisions. v. 24.

Washington, 1913. 23½<sup>cm</sup>. p. 380-541.)

HE2705.I85,v.24

- 120 ——— Laws, statutes, etc. Parcel-post system. Bills introduced in the Senate and House of representatives during the present Congress in relation to parcel post.

Washington, [Govt. print. off.], 1912. 30 p. 23½<sup>cm</sup>. (62d Cong., 2d sess. Senate. Doc. 430.)

12-35419

HE6471.A4 1912a

- 121 **Williams, Nathan B.** The American post-office. A discussion of its history, development, and present-day relation to express companies.  
[*Washington, Govt. print off., 1910.*] 49 p. 23<sup>cm</sup>. ([U. S.] 61st Cong., 2d sess. Senate. Doc. 542.)  
10-35703 **HE6371.W75**
- 122 ——— Express companies and the Post office.  
*Freight, Aug. 1910, v. 11: 237-238.* **HE2122.T7,v.11**
- 123 ——— In the United States Circuit court of appeals. Eighth circuit. Nathan B. Williams, as informer on his own behalf and on behalf of the United States of America, plaintiff in error, vs. Wells-Fargo & company express, defendant in error. No. 3047. Error to the District court of the United States, for the Western district of Arkansas. Brief and argument on behalf of plaintiff in error. Nathan B. Williams. For plaintiff in error.  
*Kansas City, Mo., F. T. Riley pub. co., [1909?] cover-title, 61 p. 25½<sup>cm</sup>.*  
9-17328 **HE5903.W5W7**
- 124 ——— Usurpation by express companies.  
*Chicago legal news, July 25, 1908, v. 40: 403-404.*  
Reprinted from Law and commerce.  
"Our conclusion is that the true intent and meaning of sections 3982-85 of the Revised statutes of the United States make it unlawful to either send or deposit for transportation, in any other manner than by mail, any mailable article within the weight limits described by law, except letters under full prepaid postage and in the manner provided in section 3992. And that it is unlawful for any person or persons, firm, company, or corporation to transport over any post route, any mailable article, in any other manner than as a part of the mail, saving the exceptions found in the statutes above mentioned."

#### TELEGRAPH AND TELEPHONE

- 125 **American digest**; a complete digest of all reported American cases from the earliest times to 1896. [Century ed.]  
*St. Paul, West publishing co., 1897-1904.* 50 v. 26½<sup>cm</sup>.  
"Telegraphs and telephones": v. 45, col. 2407-2594; "Regulation and operation": col. 2431-2594.  
Nov. 9, 98-1\*
- 125a **American digest.** Decennial edition of the American digest of all reported cases from 1897 to 1906. v. 1-24.  
*St. Paul, West publishing co., 1908-12.* 24 v. 26½<sup>cm</sup>.  
(*American digest system.*)  
"Telegraphs and telephones": v. 19, p. 1-125.  
8-17767  
Continued by American digest annotated. Key number series, v. 1-15, 1907-1913.

- 126 **American telephone and telegraph company.** Commission telephone cases. Comp. by the American telephone and telegraph company, legal department.

*New York, 1911-12. 2 v. tables, diagr. 24<sup>cm</sup>.*

"Volume III will contain the decisions in telephone cases for the year 1911 of all commissions in the United States and Canada having jurisdiction over telephone companies."—Preface.

"The Interstate commerce commission acquired jurisdiction over telephone companies on June 18, 1910, and on November 16 of that year issued to all telegraph and telephone companies a notice of a hearing held on December 7, 1910, for consideration of the application of the amended law to such companies. As a result of the hearing, an order was issued in 1911, which will be printed, together with the notice of the hearing, in volume III."

11-32891

HE8746.A6

- 127 ——— Constitutional provisions, general statutes and session laws of the states and territories of the United States, and acts of Congress relating to telegraph and telephone corporations, in effect January 1, 1904.

*New York, [J. B. Lyon company, printers], 1904. 3 v. 26<sup>cm</sup>. 4-29810*

- 128 **Cary, William J.** Government control of telegraphs.

*Government, Nov. 1908, v. 3: 217-225.*

Discusses various proposals for federal regulation of telephone companies and advocates government ownership.

H1.G7,v.3

- 129 **Casson, Herbert N.** The future of the telephone.

*World's work, May, 1910, v. 20: 12903-12918.*

Federal supervision: p. 12909-12910.

AP2.W8,v.20

- 130 **Collier, N. C.** Law of the place governing an interstate telegram.

*Central law journal, June 17, 1910, v. 70: 444-446.*

- 131 **Croswell, Simon Greenleaf.** A treatise on the law relating to electricity.

*Boston, Little, Brown, and company, 1895. lxxv, 765 p. 24<sup>cm</sup>.*

"Federal franchise of telegraph companies": p. 34-49.

12-11276

- 132 **Escher, F.** Western union's move toward corporation publicity.

*Harper's weekly, Oct. 22, 1910, v. 54: 22.*

AP2.H32,v.54

- 133 **Frame, William A.** Report on proposed telephone accounting systems.  
*Telephony, Feb. 17, 1912, v. 62: 215-216.*  
 "Comparison of Wisconsin commission system with that proposed by Interstate commerce commission and that prescribed by Bell companies."  
**TK1.T36,v.62**
- 134 **Goodrich, W. F.** An independent view of interstate accounting plan.  
*Telephony, Dec. 2, 1911, v. 61: 681-682.*  
 Comment on Circular no. 30 of the Interstate commerce commission.  
**TK1.T36,v.61**
- 135 **Gorman, M. J.** Regulation of telegraph companies.  
*Canadian law times and review, Sept. 1908, v. 28: 675-688.*  
 A review of the Canadian act concerning telegraphs and telephones, passed in 1908.  
 "Summary of American law": p. 680-688.
- 136 **Jones, Sidney Walter.** A treatise on the law of telegraph and telephone companies.  
*Kansas City, Mo., Vernon law book company, 1906. xxvii, 833 p. 24<sup>cm</sup>.*  
 "Regulation and control": p. 202-224.  
 7-484
- 137 **Kerr, William Dunton.** Public relations of telephone companies; a paper prepared for the fourteenth annual convention of the National independent telephone association, held at Chicago, February 8, 9 and 10, 1911.  
*Chicago, National independent telephone association, 1911. 32 p. 23<sup>cm</sup>.*  
 11-1843 **HE8819.K5**
- 138 **Lansley, William J.** Advocates state supervision of telephone business.  
*Telephony, Mar. 25, 1911, v. 60: 367-368.*  
 Read before convention of New Jersey state telephone association.  
 "Except railroad and telegraph lines engaged in interstate commerce all other public utilities should come under state regulation."  
**TK1.T36,v.60**
- 139 **McMillan, Archibald Harold.** Telephone law; the organization and operation of telephone companies.  
*New York, McGraw publishing company, 1908. xiv, 331 p. 21½<sup>cm</sup>.*  
 Interstate commerce: see sections 76, 166, 204, 217, 218.  
 8-22088 **HE8746.M2**

- 140 **Minor, H. Dent.** Telegraphs and telephones.  
(In American and English encyclopædia of law. 2d ed. North-  
port, N. Y., 1904. 26<sup>cm</sup>. v. 27, p. 998-1095.)  
"Regulation and control": p. 1017-1021.
- 141 **Payne, George W.** The constitutionality of state legislation  
requiring telephone companies to transmit messages  
promptly and to deliver within certain limits.  
*Central law journal, Jan. 31, 1908, v. 66: 90-94.*  
Discusses the relation of state legislation to interstate telephone  
messages.
- 142 **Stark, Francis Raymond.** Telegraphs and telephones.  
(In Mack, William, *ed.* Cyclopedia of law and procedure. New  
York, 1911. 26<sup>cm</sup>. v. 37, p. 1601-1796.)  
"Construction, maintenance and regulation": p. 1622-1650.
- 143 **U. S. Bureau of labor.** Investigation of Western union and  
Postal telegraph-cable companies. Letter from the Secre-  
tary of the Department of commerce and labor, trans-  
mitting, pursuant to a Senate resolution of May 28, 1908,  
a partial report showing the results of an investigation  
made by the Bureau of labor.  
*Washington, Govt. print. off., 1909. 554 p. incl. tables. 23<sup>cm</sup>.*  
*(60th Cong., 2d sess. Senate. Doc. 725.)* **5401**  
Appendix A: Digest of state laws and extracts from principal sec-  
tions of such laws: p. 513-536.  
9-35455 **HD8039.T23U5**
- 144 ——— Investigation of telephone companies. Letter from the  
Secretary of commerce and labor transmitting, in response  
to a Senate resolution of May 28, 1908, a report showing  
the results of an investigation made by the Bureau of labor  
into telephone companies engaged in the conduct of inter-  
state business.  
*Washington, Govt. print. off., 1910. 340 p. plates, tables,*  
*diagrs. 23<sup>cm</sup>. (61st Cong., 2d sess. Senate. Doc. 380.)*  
**5648**  
Report prepared chiefly by Ethelbert Stewart and Charles E.  
Baldwin.  
10-35480 **HD8039.T25U5 1910**
- 145 ——— *Congress. House. Committee on interstate and foreign*  
*commerce.* Hearings on H. R. 15123, 15267, and 15929,  
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*Washington, Govt. print. off., 1908. 2 v. 23<sup>cm</sup>.*  
Hearings of March 16 and May 5, 1908.  
8-20819 **HE7763.A4 1908**

- 146 U. S. Congress. House. Committee on interstate and foreign commerce. Messages of interstate telegraph and telephone companies. Report [to accompany H. R. 3010]. Aug. 2, 1912.  
 [Washington, Govt. print. off., 1912.] 2 p. 24<sup>cm</sup>. (62d Cong. 2d sess. House. Rept. 1129.) 6133  
 Submitted by Mr. Calder.  
 Report on bill requiring time of filing to be transmitted with interstate messages.
- 147 ——— The transmission of telegrams. Hearings [on] H. R. 3010, May 24, 1912.  
 Washington, Govt. print. off., 1912. 162 p. 23<sup>cm</sup>.  
 HE7763.A4 1912
- 148 ——— Committee on the post-office and post-roads. Land-grant telegraph lines. Report [to accompany bill H. R. 10398]. Dec. 22, 1886.  
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 Report on legislation needed to prevent a telegraph monopoly.
- 149 ——— Senate. Committee on interstate commerce. Interstate telegraph and telephone business. Hearing February 28 [and March 13] 1908, on the bill (S. 4395) to prohibit the giving to or receipt by public officers under the constitution or laws of the United States of any free frank or privilege for the transmission of messages by telegraph or telephone, to prevent discriminations in interstate telegraph and telephone rates, and fixing requirements governing the receipt and preservation of such messages.  
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 8-35203 HE7781.A4 1908
- 150 ——— Committee on the judiciary. Interstate race gambling. Hearing before a subcommittee of the Committee on the judiciary, December 14, 1909, on the bill S. 225, to prevent the nullification of state antigambling laws by international or interstate transmission of race-gambling bets or of racing odds.  
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 9-35023 HV6718.A5 1909c
- 151 ——— Interstate race gambling by telegraph. Statements before the subcommittee of the Committee on the judiciary, on the bill S. 509, to prevent the nullification of state antigambling laws by interstate race gambling by telegraph [January 21, 1909].  
 Washington, Govt. print. off., 1909. 27 p. 23<sup>cm</sup>.  
 9-35198 HV6718.A5 1909

- 152 **U. S.** *Industrial commission*. Report on transportation, including testimony, review and topical digest of evidence. *Washington, Govt. print. off., 1900-01. 2 v. map, facsimis., tab., diagrs. 23½cm.* (*The Commission's Reports, vol. iv, ix.*)  
 See indexes under Telephone, telegraph, etc.  
 4-18094/6 HC101.A3,v.4,9
- 153 ——— *Interstate commerce commission*. Uniform system of accounts for telephone companies, as prescribed by the Interstate commerce commission, in accordance with section 20 of the Act to regulate commerce. First issue. Effective on January 1, 1913.  
*Washington, [Govt. print. off.], 1912. 79, [1] p. 22cm.*  
 13-35051 HE8785.U5  
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- 155 ——— ——— Tentative uniform system of accounts for telegraph and cable companies. Jan. 10, 1912.  
*[Washington, Govt. print. off., 1912.] 54 p. 26cm. (Accounting series. Circular no. 31.)* HE2241.U48,no.31
- 156 ——— ——— Tentative uniform system of accounts for telephone companies. Nov. 15, 1911.  
*[Washington, Govt. print. off., 1911.] 53 p. 26cm. (Accounting series. Circular no. 30.)* HE2241.U48,no.30

## INTERSTATE LIQUOR SHIPMENTS

- 157 **American law review** [Editorial]. "Original package decisions".  
*American law review, Nov.-Dec. 1890, v. 24: 988-993.*
- 158 ——— The "original package" case.  
*American law review, May-June, July-Aug. 1890, v. 24: 474-478: 678-682.*
- 159 **Bruce, A. A.** The Wilson act and the Constitution.  
*Green bag, May, 1909, v. 21: 211-223.*  
 "Constitutional right to regulate interstate commerce in intoxicating liquors and the application of the 'original package' cases."
- 160 **Caldwell, Frederick S.** Interstate shipments of intoxicating liquors; argument in favor of the Kenyon (S. 4043) and McCumber (S. 2310) bills.  
*Washington, [Govt. print. off.], 1912. 25 p. 22½cm. ([U. S.] 62d Cong., 2d sess. Senate. Doc. 488.)*  
 12-35480 HV5077.I6

- 161 **Constitutionality** of the control of interstate shipments of liquor. Brief on the so-called Kenyon interstate liquor bill. Presented by Mr. Gronna. Feb. 3, 1913.  
*Washington, Govt. print. off., 1913. 48 p. 23½cm. (U. S. 62d Cong. 3d sess. Senate. Doc. 1060.)*  
 HV5077.I6A4 1913a
- 162 **Cooke, Frederick H.** What legislation by Congress is desirable to give effect to state liquor legislation?  
*Green bag, Jan. 1910, v. 22: 10-12.*
- 163 **Dinwiddie, Edwin C., and Andrew Wilson.** State control of interstate liquor traffic. Excerpts from hearing before the Committee on interstate commerce having under consideration the bill to limit the effect of the regulations of commerce between the several states and with foreign countries in certain cases; [arguments in favor of the act].  
*[Washington, Gov't print. off., 1904.] 15 p. 23cm. ([U. S.] 58th Cong., 2d sess. Senate. Doc. 168.)* 4590  
 4-9922 HV5077.I6D6
- 164 **Kerr, Allen H.** The Webb act.  
*Yale law journal, June, 1913, v. 22: 567-581.*
- 165 **Lisle, R. Mason.** The original package case.  
*American law review, Nov.-Dec., 1890, v. 24: 1016-1026.*
- 166 **Maxwell, Lawrence.** "C. O. D." state laws. Legislatures can not regulate the business of interstate carriers by forbidding the transportation of liquors.  
*Express gazette, May, 1907, v. 32: 131-133.*  
 HE5880.E8,v.32
- 167 **Miller, Shackelford.** The latest phase of the original package doctrine.  
*American law review, May-June, 1901, v. 35: 364-382.*
- 168 **Oakes, Henry W.** The Webb act.  
*Chicago legal news, July 26, 1913, v. 45: 404, 406.*  
*Law student's helper, July, 1913, v. 21: 12-13.*
- 170 **Patterson, C. Stuart.** The "original package" case.  
*American academy of political and social science. Annals, Oct. 1890, v. 1: 192-202.* H1.A4,v.1
- 171 **Prentice, E. Parmalee.** Interstate commerce and original packages.  
*Current comment and legal miscellany, Aug. 15, 1890, v. 2: 465-472.*

- 172 **Shippen**, Joseph. Original packages and prohibition.  
*Charataquan*, July, 1890, v. 11: 456-460. **AP2.C48,v.11**
- 173 **Townley**, Morris M. What is the original package doctrine?  
*American law review*, Sept.-Oct. 1901, v. 35: 669-683.
- 174 **Trickett**, William. The original package ineptitude.  
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- 175 **Uhle**, John B. The law governing an original package.  
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- 177 ——— *House. Committee on the judiciary*. Argument of Hon. Richard Bartholdt in opposition to the several bills to restrict interstate commerce in certain cases. [Hearing, April 10, May 1, 1908.]  
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- 179 ——— ——— ——— Hepburn-Dolliver bill. Full hearings on the bill (H. R. 4072) entitled "A bill to limit the effect of the regulations of commerce between the several states and with foreign countries in certain cases."  
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3570

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- 196 ————— Interstate shipments of intoxicating liquors into "dry" territory. Hearing before a subcommittee of the Committee on the judiciary on bills relating to interstate shipments of intoxicating liquors into "dry" territory, being S. 1523, S. 2310, S. 3710, S. 4043. Washington, Govt. print. off., 1912. 3 pts. in 1 v. 23<sup>cm</sup>. Hearings of Jan. 30, Feb. 17 and Mar. 2, 1912. HV5077.I6A4 1912

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- 199 ————— To regulate interstate commerce in intoxicating liquors, etc. Report. <To accompany S. 6576.>  
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- 200 ————— To regulate interstate commerce in intoxicating liquors, etc. Report from the Committee on the judiciary, with hearings held by a subcommittee of said Committee, on bills to limit the effect of the regulations of commerce between the several states in certain cases.  
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- 201 ————— *Laws, statutes, etc.* Public—No. 398. S. 4043. An act divesting intoxicating liquors of their interstate character in certain cases. Passed over President Taft's veto, Mar. 1, 1913.  
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- 202 **American digest;** a complete digest of all reported American cases from the earliest times to 1896. [Century ed.]  
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Nov. 9, 98-1\*
- 203 **American digest.** Decennial edition of the American digest; a complete digest of all reported cases from 1897 to 1906. v. 1-24.  
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- 204 **American law review** [Editorial]. Extension of federal jurisdiction over state canals.

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- 205 **Chilton, E. G.** Navigable waters.

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- 206 **Donnelly, J. C.** One phase of federal power under the commerce clause of the Constitution [control of navigable waters].

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- 207 **Farnham, Henry Philip.** The law of waters and water right; international, national, state, municipal, and individual, including irrigation, drainage, and municipal water supply. Rochester, *The Lawyers' co-operative publishing company*, 1904. 3 v. 24<sup>cm</sup>.

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- 208 **Gould, John Melville.** A treatise on the law of waters, including riparian rights, and public and private rights in waters tidal and inland. 3d ed.

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- 209 **Keasbey, Edward Q.** The power of Congress over navigable waters.

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- 210 **Nichols, Clark A.** Navigable waters.

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- 211 **Stronach, Alexander.** Navigable waters.

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- 212 **Teller, Henry M.** Federal jurisdiction over navigable streams. Speech in the Senate, Mar. 31, 1908, on the bill (H. R. 7618) to authorize the Benton water company, its successors or assigns, to construct a dam across the Snake River, in the state of Washington.  
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- 213 **Tracy, John E.** The jurisdiction of state courts over maritime vessels engaged in interstate and foreign commerce.  
*Central law journal, Oct. 4, 1912, v. 75: 257-263.*
- 214 **U. S. Congress. Senate. Committee on commerce.** Creation of a board of river regulation and provision of a fund for the regulation and control of the flow of navigable rivers in aid of interstate commerce, etc. Report.  
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Includes "General dam laws," "Senate bill 8033, 62d Cong., 3d sess.," reports, speeches in Congress, views on Senate res. 44, 62d Cong., 2d sess., etc., etc.  
"Brief and memorandum relating to riparian and water rights of the federal government and of the various states, by Senator Nelson": p. 122-134.  
"The control of the use of stream waters in United States, by Russell L. Dunn": p. 304-349.  
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- 217 [**Allen, P. L.**] The national quarantine. [Editorial].  
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- 218 **Cabell, James L.** National legislation and attempts at legislation on quarantine.  
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- 219 **Cochran, Jerome.** The proper relations between national, state and municipal quarantines.  
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- 220 **Cowles, William Hamilton.** State quarantine laws and the federal Constitution.  
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- 221 **Dart, Henry Plauché.** Federal quarantine.  
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- 222 **Garner, James Wilford.** Federal activity in the interest of the public health.  
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- 223 [**Godkin, E. L.**] The constitutionality of federal quarantine.  
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- 224 **Hornblower, William B.** Some of the legal aspects of our quarantine system.  
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- 225 **James, E. E.** States' rights and a national quarantine.  
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- 226 **Jones, Thomas G.** Some observations on the law of quarantine.  
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- 228 **Lee, Blewett Harrison.** Limitations imposed by the federal Constitution on the right of the states to enact quarantine laws.  
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- 229 **Maxey, Edwin.** Federal quarantine laws.  
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- 235 ——— Necessity for a national quarantine.  
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- 260 **Graser, Ferdinand H.** Pullman company under federal law. Extent and nature of business.  
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- 297 **Emery, J. A.** Labor organizations and the Sherman law.  
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- 298 ——— Why amend the Sherman act?  
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- 312 **Acworth** and Cook on a government holding company. Interesting discussion concerning some of the problems of managing a railway system of a quarter million miles.

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- 313 **Andrews, Edward L.** Considerations for a sixteenth amendment.

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Proposals for an amendment to the federal Constitution vesting in Congress the power of incorporating companies doing an interstate business.

- 314 **Baker, J. Newton.** Federal incorporation of railroads.

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- 315 **Bascom, John.** Industrial corporations. Federal incorporation for those doing an inter-state business.

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- 316 **Bryan, William Jennings.** The man before the dollar: society not enthralled to an institution solely because the institution exists: the remedy of Congressional license.

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- 317 **Central debating league.** Federal incorporation, two debates; the constructive and rebuttal speeches of the representatives of the University of Chicago vs. University of Michigan and the University of Chicago vs. Northwestern university in the tenth annual contests of the Central debating league, January 17, 1908. Question: "Resolved, that all corporations engaged in interstate commerce should be required to take out a federal charter on such terms as Congress may by law prescribe—granting that such legislation would be constitutional."

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- 320 ——— Industrial democracy or monopoly?  
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- 322 ——— National corporations.  
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- 325 **Garrett, Finis J.** Federal incorporation. Speech in the House  
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- 330 **Logan**, Walter S. National incorporation and control of corporations.

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- 339 **Snapp, Dorrance Dibell.** National incorporation.  
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- 358 **Conant, Charles A.** The new corporation tax.  
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- 363 **Frost, Thomas Gold.** The federal corporation tax.  
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- 364 ——— A treatise on the federal corporation tax law, including therein a commentary on the act itself, an appendix containing the text of the act, all rules and regulations of the Treasury department, relating in any way to the act; text of all laws relating to the collection, remission and refund of internal revenue; text applicable to the administration of the federal corporation tax law, and opinions of the Attorney-general bearing upon the meaning of the act.  
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- 366 **Green, T. H.** The federal corporation tax.  
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- 371 **Marcuse, P.** Das amerikanische Gesellschaftssteuergesetz vom 5. August 1909.  
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- 373 **Pierson, Charles W.** The corporation tax decision.  
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- 374 ——— Is the federal corporation tax constitutional?  
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- 381 **Seligman, Edwin R. A.** The relations of state and federal finance.  
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- 382 **Selwyn-Brown, Arthur.** Taxation of corporations.  
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- 383 **Sheppard, John S., jr.** Is the federal corporation tax an interference with the sovereignty of the states?  
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- 385 **U. S. Congress. House. Committee on ways and means.** Amendment to corporation law. Hearings on H. R. 16663. January 10, 1912.  
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- 386 ——— *Laws, statutes, etc.* Corporation-tax law. Extract from Public law no. 5, approved August 5, 1909, entitled "An act to provide revenue, equalize duties and encourage the industries of the United States and for other purposes."  
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- 387 U. S. *President, 1909-1913 (Taft)*. Tax on net income of corporations. Message from the President, recommending an amendment to the tariff bill imposing upon all corporations and joint stock companies for profit, except national banks (otherwise taxed), savings banks, and building and loan associations, an excise tax measured by 2 per cent on the net income of such corporations; also providing for a constitutional amendment giving power to impose taxes on incomes.

[*Washington, Govt. print. off., 1909.*] 3 p. 23½<sup>cm</sup>. (61st Cong., 1st sess. Senate. Doc. 98.) 5569  
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- 388 ——— *Supreme court*. Decisions of the United States Supreme court in corporation tax cases and income tax cases, with dissenting opinions.

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#### STATE TAXATION OF INTERSTATE COMMERCE

- 389 **Adams, Brooks**. Taxation of interstate commerce.

*International review, May, 1881, v. 10: 428-436.*

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- 390 **Ames, Herman Vandenburg, ed.** State documents on federal relations: the states and the United States. Ed. with notes.

*Philadelphia, The Department of history of the University of Pennsylvania, 1906.* 2 p. l., 3-7, 320 p. 19½<sup>cm</sup>.

Number 3 (p. 89-132) includes the text of several documents relating to the right of the states to tax corporations chartered by Congress.

7-2017

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- 391 **Beale, Joseph Henry**. The law of foreign corporations and taxation of corporations both foreign and domestic.

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"Constitutional protections of a foreign corporation": p. 164-184;

"Taxation and interstate commerce": p. 905-931.

4-34140

- 392 **Davenport, H. J.** State taxation of interstate commerce.

*Political science quarterly, Dec. 1911, v. 26: 643-658; Mar. 1912, v. 27: 54-72.*

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- 393 **Gray**, James McIlvaine. Limitations of the taxing power, including limitations upon public indebtedness.

*San Francisco, Bancroft-Whitney company, 1906. lx, 1316 p. 23½<sup>cm</sup>.*

"State taxation in interference with commerce": p. 418-470; "Other federal restrictions with respect to commerce": p. 471-482.

6-13208

- 394 **Judson**, Frederick Newton. A treatise on the power of taxation, state and federal, in the United States.

*St. Louis, The F. H. Thomas law book co., 1903, [1902]. xxiii, 868 p. 24<sup>cm</sup>.*

"Regulation of commerce": p. 96-221; "Taxation of interstate commerce": p. 222-295.

2-30141

- 395 **State tax of interstate commerce.**

*Harvard law review, Feb. 1913, v. 26: 358-360.*

## FEDERAL ANTI-TRUST CASES

A list of cases instituted by the United States and citations of cases decided thereunder or relating thereto, was published Jan. 1, 1914, under the title: The Federal antitrust law with amendments.

### U. S. vs. E. C. KNIGHT

- 396 **U. S.** *Circuit court (3d circuit).* United States v. E. C. Knight co. et al. (Circuit court, E. D. Pennsylvania. January 30, 1894.)

(*In Federal reporter*, v. 60. St. Paul, 1894. 22½<sup>cm</sup>. p. 306-310.)

Decision rendered by Judge Butler.

Also in Federal anti-trust cases. v. 1, Washington, 1912, p. 250-257.

HD2780.A2 1912,v.1

- 397 ——— *Circuit court of appeals (3d circuit).* United States v. E. C. Knight co. et al. (Circuit court of appeals, Third circuit. March 26, 1894.) No. 6.

(*In Federal reporter*, v. 60. St. Paul, 1894. 22½<sup>cm</sup>. p. 934-937.)

Decision rendered by Judge Dallas.

Also in Federal anti-trust decisions. v. 1, Washington, 1912, p. 258-262.

HD2780.A2 1912,v.1

- 398 ——— *Supreme court.* United States v. E. C. Knight company. Appeal from the Circuit court of appeals for the third circuit. No. 675. Argued October 24, 1894.—Decided January 21, 1895.

(*In U. S. Supreme court. United States reports*, v. 156. New York, 1895. 23½<sup>cm</sup>. p. 1-46.)

Decision holding that the E. C. Knight company, the American sugar refining company, and other defendants are not doing business in violation of the Sherman anti-trust act.

TRANS-MISSOURI FREIGHT ASSOCIATION  
FOR THE PROSECUTION

- 399 **U. S.** *Dept. of justice.* The United States of America, appellant, v. the Trans-Missouri freight association and others, appellees . . . Brief for the United States.

[*Washington, Govt. print. off., 1896.*] cover-title, 56 p. 23<sup>cm</sup>.

No. 67 in the U. S. Supreme court, October term, 1896, appeal from the U. S. Circuit court of appeals for the 8th circuit.

13-12414

Also printed in Yale law journal, June, 1897, v. 6:295-327.

- 400 ——— The United States, appellant, v. the Trans-Missouri freight association et al., appellees. Reply brief for appellant on the jurisdictional question.

[*Washington, Govt. print. off., 1896.*] cover-title, 5 p. 23½<sup>cm</sup>.

Signed: Judson Harmon, attorney general. Edward B. Whitney, assistant attorney general.

13-12412

- 401 ——— The United States, appellant, v. the Trans-Missouri freight association et al., defendants . . . Stipulation as to amounts in controversy. Filed Dec. 8, 1896.

[*Washington, Govt. print. off., 1896.*] 1 l. 23½<sup>cm</sup>.

Signed: Judson Harmon, attorney-general. John F. Dillon, of counsel for defendants.

13-12411

FOR THE DEFENSE

- 402 **Guthrie, W. F.** The United States, appellant, v. the Trans-Missouri freight association et al., appellees . . . Answer of Burlington & Missouri River railroad company in Nebraska to reply brief for appellant on the jurisdictional question. W. F. Guthrie, of counsel.

*Washington, D. C., Gibson bros., printers, 1896.* cover-title, 2 p. 23½<sup>cm</sup>.

13-12413

COURT DECISIONS, ETC.

- 403 **U. S.** *Circuit court (8th circuit).* United States v. Trans-Missouri freight ass'n et al. (Circuit court, D. Kansas. November 28, 1892.) No. 6,799.

(*In* Federal reporter, v. 53. St. Paul, 1893. 22½<sup>cm</sup>. p. 440-459.) Decision rendered by Judge Riner.

Also in Federal anti-trust decisions, v. 1, Washington, 1912, p. 80-106.

HD2780.A2 1912,v.1

- 404 **U. S.** *Circuit court of appeals (8th Circuit).* United States v. Trans-Missouri freight association et al. (Circuit court of appeals, Eighth circuit. October 2, 1893.) No. 236.  
*(In Federal reporter, v. 58. St. Paul, 1894. 22½<sup>cm</sup>. p. 58-100.)*  
 Decision rendered by Judge Sanborn.  
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- 405 ——— *Supreme court.* United States v. Trans-Missouri freight association. Appeal from the Circuit court of appeals for the eight circuit. No. 67. Argued December 8, 9, 1896.—Decided March 22, 1897.  
*(In U. S. Supreme court. United States reports, v. 166. New York, 1897. 23½<sup>cm</sup>. p. 290-374.)*  
 Also in Federal anti-trust decisions, Washington, 1912, v. 1, p. 648-724. **HD2780.A2 1912,v.1**

## COMMENT AND DISCUSSION

- 406 **Blanchard, George R.** The Trans-Missouri decision.  
*Forum, June, 1897, v. 23: 385-395.* **AP2.F8,v.23**
- 407 **Cooke, Albert D.** The Trans-Missouri freight association case and railway pooling in the U. S. With an introduction by Hon Wm. E. Chandler.  
*Philadelphia, Press of T. A. Bradley, 1897. 37, v p. 18<sup>cm</sup>. 5-39999†* **HE1836.C77**
- 409 **Langstroth, Charles Souder and Wilson Stilz.** Railway co-operation. An investigation of railway traffic associations and a discussion of the degree and form of co-operation that should be granted competing railways in the United States. With an introduction by Martin A. Knapp.  
*Philadelphia, The University, 1899. xv, [5]-210 p. 25½<sup>cm</sup>. (Pennsylvania. University. Publications. Series in political economy and public law. no. 15.)*  
 Trans-Missouri decision: see index. **HE1829.L28**  
 1-1957 **H31.P4,no.15**
- 410 **Royall, William Lawrence.** The "pool" and the "trust." Their side of the case. Review of the Supreme court's traffic decision [Trans-Missouri case].  
*Richmond, Va., G. M. West, 1897. 47 p. 24<sup>cm</sup>.*  
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## HOPKINS vs. UNITED STATES

## FOR THE DEFENSE

- 411 **Hopkins**, Henry, *appellant*. Transcript of record. Supreme court of the United States. October term, 1897. No. 533. Henry Hopkins et al., appellants, vs. the United States. On certificate from and writ of certiorari to the United States Circuit court of appeals for the Eighth circuit. Certificate filed December 10, 1897. Certiorari and return filed January 11, 1898.

[*Washington, Judd & Detweiler, printers, 1898.*] *cover-title, iv p., 1 l., 289, 12 p. 24<sup>cm</sup>.*  
13-12415

- 412 **Miller**, John Stocker. Henry Hopkins et al., appellants, vs. the United States, appellee. Brief of John S. Miller, for the appellants.

*Chicago, Barnard & Miller print., [1898]. cover-title, 44 p. 23½<sup>cm</sup>.*

No. 533 in the U. S. Supreme court, October term, 1897, on certificate from and writ of certiorari to the United States Circuit court of appeals for the 8th circuit.

13-12417

## COURT DECISIONS, ETC.

- 413 **U. S. Circuit court (8th circuit)**. United States v. Hopkins et al. (Circuit court, D. Kansas, First division. September 20, 1897.)

(*In Federal reporter*, v. 82. St. Paul, 1898. 22½<sup>cm</sup>. p. 529-541.)  
Decision rendered by Judge Foster.

Also in Federal anti-trust decisions, v. 1, Washington, 1912, p. 725-742. **HD2780.A2 1912,v.1**

- 414 ——— *Supreme court*. Hopkins v. United States. Certiorari to the Circuit court of appeals for the Eighth circuit. No. 210. Argued February 28, March 1, 1898. Decided October 24, 1898.

(*In U. S. Supreme court. United States reports*, v. 171. New York, 1898. 23½<sup>cm</sup>. p. 578-604.)

Decision holding that the Kansas City live stock exchange is not doing an interstate business in violation of the act of July 2, 1890.

Also in Federal anti-trust decisions, v. 1, Washington, 1912, p. 941-967. **HD2780.A2 1912,v.1**

## JOINT TRAFFIC ASSOCIATION

## FOR THE PROSECUTION

- 415 **U. S. Dept. of justice.** The United States of America *v.* the Joint traffic association [et al.] . . . Motion to advance. [Washington, Govt. print. off., 1897.] cover-title, 3 p. 23½<sup>cm</sup>.  
No. 765 in the U. S. Supreme court, October term, 1896.  
Signed: Holmes Conrad, solicitor-general.  
13-12429

- 416 **United States, appellant.** Transcript of record. Supreme court of the United States. October term, 1896. No. 341. The United States, appellant, *vs.* the Joint traffic association et al. Appeal from the United States Circuit court of appeals for the Second circuit. Filed March 30, 1897.  
[Washington, Judd & Detweiler, printers, 1897.] cover-title, ii, 245 p. 23½<sup>cm</sup>.  
Printed no. 765 changed in manuscript to 341.  
13-12430

- 417 **U. S. Dept. of justice.** The United States, appellant, *v.* the Joint traffic association et al., appellees . . . Brief for the United States.  
[Washington, Govt. print. off., 1898.] cover-title, 69 p. 23½<sup>cm</sup>.  
No. 341 in the U. S. Supreme court, October term, 1896-97.  
Signed: John K. Richards, solicitor-general.  
Appendix A (p. 33-48): Articles of agreement of the Joint traffic association and the Transmissouri freight association. Appendix B (p. 49-61): Extracts from Senate document no. 133, 55th Congress, 2d session. Appendix C (p. 62-69): Cases under antitrust laws subsequent to Transmissouri decision.  
13-12426

- 418 ——— The United States, appellant, *v.* the Joint traffic association, appellees . . . Points by the solicitor-general on oral argument, in reply to Mr. Carter, Mr. Edmunds, and Mr. Phelps.  
[Washington, Govt. print. off., 1898.] cover-title, 52 p. 23½<sup>cm</sup>.  
13-12422

## FOR THE DEFENSE

- 419 **Carter, James Coolidge.** United States, appellant, *vs.* the Joint traffic association, et al. Synopsis of the brief for the Joint traffic association.  
N[ew] Y[ork], The King press, [1898]. 15 p. 23<sup>cm</sup>.  
13-12420

- 420 **De Forest**, Robert Weeks. The United States, appellant, vs. the Joint traffic association et al. . . . Brief, for the Central railroad company of New Jersey, appellee. Robert W. De Forest, David Willcox, of counsel.

*N[ew] Y[ork], C. G. Burgoyne, 1897. cover-title, 29 p. 23½<sup>cm</sup>.*

On "Unconstitutionality of the Anti-trust act of Congress (chapter 647, statutes of 1890)."

13-12425

- 421 **Phelps**, Edward John. The United States, complainant-appellant, vs. the Joint traffic association and others . . . Brief for the New York central and Hudson River railroad company, one of the defendants. E. J. Phelps, of counsel.

*[New York? 1898.] cover-title, 72 p. 23½<sup>cm</sup>.*

13-12427

- 422 **Logan**, James A. United States, complainant, vs. the Joint traffic association et al. Brief on behalf of the Pennsylvania railroad company [et al.] . . . James A. Logan, John G. Johnson, of counsel.

*Phila[delphia], Allen, Lane & Scott, prs., [1898]. cover-title, 17 p. 23½<sup>cm</sup>.*

13-12428

- 423 **Carter**, James Coolidge. The United States, appellant, vs. the Joint traffic association, et al. Observations upon the solicitor-general's printed argument. James C. Carter, Lewis Cass Ledyard, of counsel for appellees.

*N[ew] Y[ork], The King press, [1898]. cover-title, 34 p. 23<sup>cm</sup>.*

13-12419

- 424 **Edmunds**, George Franklin. The United States, complainant, vs. the Joint traffic association et al. Condensed statement of the oral argument of Mr. George F. Edmunds, on the twenty-fifth day of February, 1898.

*Phila[delphia], Allen, Lane & Scott, prs., [1898]. cover-title, 11 p. 24<sup>cm</sup>.*

13-12424

- 425 ——— The United States, complainant, vs. the Joint traffic association et al. Points submitted by Mr. George F. Edmunds, of counsel for the Pennsylvania railroad company.

*Washington, D. C., McGill & Wallace, law printers, [1898]. cover-title, 36 p. 23<sup>cm</sup>.*

13-12423

## COURT DECISIONS, ETC.

- 426 **U. S.** *Circuit court (2d circuit).* United States v. Joint traffic ass'n. (Circuit court, S. D. New York. May 28, 1896.)  
*(In Federal reporter, v. 76. St. Paul, 1897. 22½<sup>cm</sup>. p. 895-898.)*  
 Decision rendered by Judge Wheeler.  
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- 427 ——— *Supreme court.* United States v. Joint traffic association. Appeal from the circuit court of appeals for the second circuit. No. 84. Argued February 24, 25, 1898.—  
 Decided October 24, 1898.  
*(In U. S. Supreme court. United States reports, v. 171. New York, 1898. 23½<sup>cm</sup>. p. 505-578.)*  
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## COMMENT AND DISCUSSION

- 428 **Langstroth, Charles Souder, and Wilson Stilz.** Railway co-operation. An investigation of railway traffic associations and a discussion of the degree and form of co-operation that should be granted competing railways in the United States. With an introduction by Martin A. Knapp.  
*Philadelphia, The University, 1899. xv, [5]-210 p. 25½<sup>cm</sup>. (Pennsylvania. University. Publications. Series in political economy and public law. no. 15.)*  
 Joint traffic association: see index. **HE1829.L28**  
 1-1957. **H31.P4,no.15**
- 429 **U. S.** *Interstate commerce commission.* Joint traffic association. Letter from the Interstate commerce commission, transmitting, in response to resolution of the Senate of February 7, 1898, so much of the testimony taken by the commission in the proceedings known as the New York Produce exchange case and the grain investigation cases of 1897 as relates to the Joint traffic association agreement and any action thereunder in the pooling traffic or otherwise.  
*[Washington, Govt. print. off., 1898.] 160 p. 23<sup>cm</sup>. (55th Cong., 2d sess. Senate. Doc. no. 133.)*  
 5-18723 **HE2116.G7U58**

## HATTERS' CASE

(Loewe et al. vs. Lawlor)

## FOR THE PROSECUTION

- 430 **Beck**, James Montgomery. Dietrich E. Loewe and Martin Fuchs, plaintiffs in error, (plaintiffs below), vs. Martin Lawlor et al., defendants in error, (defendants below). Brief for plaintiffs in error. James M. Beck, Daniel Davenport, counsel for plaintiffs in error.

*N[ew] Y[ork], C. G. Burgoyne, [1907]. cover-title, 36 p. 23½ cm.*

No. 389 in the U. S. Supreme court, October term, 1907.

13-12406

- 431 ——— Dietrich E. Loewe and Martin Fuchs, plaintiffs in error, (plaintiffs below), vs. Martin Lawlor et al., defendants in error, (defendants below). Oral arguments for plaintiffs in error made before the Supreme court, December 4 and 5, 1907. <Stenographically reported.> James M. Beck, Daniel Davenport, counsel for plaintiffs in error.

*N[ew] Y[ork], C. G. Burgoyne, [1907]. cover-title, 49 p. 23½ cm.*

13-12409

- 432 [———] D. E. Loewe, et al. [Martin Fuchs] vs. Martin Lawlor, et al. . . . Motion and application to have the whole record sent to the Supreme court from the Circuit court of appeals.

*[n. p., 1907.] cover-title, 1 p. l., 15 p. 23 cm.*

13-12407

- 433 **Loewe**, Dietrich E., *plaintiff in error*. Transcript of record. Supreme court of the United States. October term, 1907. No. 389. Dietrich Loewe et al. [Martin Fuchs] vs. Martin Lawlor et al. On a certificate from and writ of certiorari to the United States Circuit court of appeals for the Second circuit. Certificate filed July 11, 1907. Certiorari and return filed October 21, 1907.

*[Washington, Judd & Detweiler (inc.), printers, 1907.] cover-title, 1 p. l., 42 p. 23½ cm.*

13-12405

## FOR THE DEFENSE

- 434 **Beach**, John Kimberly. Dietrich Loewe et al. [Martin Fuchs] vs. Martin Lawlor et al. . . . Brief for the defendants in error. John Kimberly Beach, John H. Light, Robert De Forest, Howard W. Taylor, of counsel.  
[*New Haven, C. G. Whaples & co., printers, 1907.*] cover-title, 53 p. 23<sup>cm</sup>.  
13-12408
- 435 **Spelling**, Thomas Carl. Dietrich Loewe et al. [Martin Fuchs] vs. Martin Lawlor et al. Brief of Thomas Carl Spelling on behalf the American federation of labor, et al.  
*Washington, D. C., Law reporter printing co., [1907].* cover-title, 3 p. 24<sup>cm</sup>.  
13-12410

## COURT DECISIONS, ETC.

- 436 **U. S.** *Circuit court (2d circuit).* Loewe et al. v. Lawlor et al. (Circuit court, D. Connecticut. December 7, 1906.) No. 538.  
(*In Federal reporter*, v. 148. St. Paul, 1907. 23½<sup>cm</sup>. p. 924-926.)  
Decision rendered by Judge Platt.  
Also in *Federal anti-trust decisions*, v. 3, Washington, 1912, p. 41-44.  
HD2780.A2 1912,v.3  
See also *Federal reporter*, v. 130, p. 633-634; v. 142, p. 216-217.
- 437 ——— *Supreme court.* Loewe v. Lawlor. Certiorari to the Circuit court of appeals for the Second circuit. No. 389. Argued December 4, 5, 1907.—Decided February 3, 1908.  
(*In U. S. Supreme court.* United States reports, v. 208. New York, 1908. 23½<sup>cm</sup>. p. 274-309.)  
Also in *Federal anti-trust decisions*, v. 3, Washington, 1912, p. 324-356.  
HD2780.A2 1912,v.3

## COMMENT AND DISCUSSION

- 438 **Gompers**, Samuel. Labor organizations must not be outlawed—the Supreme court's decision in the hatters' case.  
*American federationist*, Mar. 1908, v. 15: 180-192.  
HD8055.A5A2,v.15
- 439 **Knowlton**, Jerome C. Labor organizations in legislation.  
*Michigan law review*, June, 1908, v. 6: 609-623.  
Comment on the decisions of the United States Supreme court in the cases *Howard v. Illinois Central railway* (207 U. S., 463); *Adair v. United States* (208 U. S., 161); and *Loewe v. Lawlor* (208 U. S., 274).

- 440 **Merritt**, Walter G. Law of the Danbury hatters' case.  
*American academy of political and social science. Annals*,  
 Sept. 1910, v. 36: 265-276. HA1.A4,v.36
- 441 ——— The significance of the Loewe decision.  
*American industries*, Mar.-May, 1910, v. 10: 22-23; 25-27;  
 28-29, 46. HD4802.A6,v.10  
*Square deal*, Apr.-June, 1910, v. 6: 227-231; 353-359;  
 433-437. HD4802.S7,v.6
- 442 **Supreme court decision in the hatters' case.** Affects all organized labor—a symposium giving opinion and comment by men of affairs.  
*American federationist*, Mar. 1908, v. 15: 161-178.  
HD8055.A5A2,v.15

### NORTHERN SECURITIES COMPANY

References in full on this case are given in "A list of books (with references to periodicals) on railroads in their relation to the Government and the public, with appendix containing list of references on the Northern Securities case," compiled by A. P. C. Griffin, 2d ed. 1907.

The following are a few additional references mostly legal.

### FOR THE PROSECUTION

- 443 **U. S. Dept. of justice.** In the Supreme court of the United States. October term, 1903. No. 277. Northern securities company, Great Northern railway company, Northern Pacific railway company, James J. Hill [et al.] appellants, v. The United States of America, appellee. Appeal from the Circuit court of the United States for the district of Minnesota. Brief for the United States.  
 [Washington, Govt. print. off., 1903.] cover-title, ii, 180 p. 22½ cm.  
 Signed: Philander C. Knox, attorney-general. W. A. Day, assistant to the attorney-general.  
 9-5471 HD2780.N87A4
- 444 **Minnesota.** Transcript of record. Supreme court of the United States, October term, 1903. No. 433. State of Minnesota, appellant, vs. Northern securities company, Great Northern railway company, Northern Pacific railway company, et als. Appeal from the Circuit court of the United States for the district of Minnesota. Filed October 5, 1903. (19,084.)  
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 8-37667 HD2780.N875A6

## FOR THE DEFENSE

- 445 **Northern securities company.** Transcript of record. Supreme court of the United States, October term, 1903. No. 277. The Northern securities company, the Great Northern railway company, the Northern Pacific railway company, James J. Hill [etc.] vs. the United States. Appeal from the Circuit court of the United States for the district of Minnesota. Filed May 11, 1903. (18,924.) [*Washington, D. C., Judd & Detweiler, printers, 1903.*] 2 v. fold. maps, tables. 23<sup>cm</sup>.  
Circuit court proceedings in C. Equity, no. 789.  
8-37668 HD2780.N87A4
- 446 **Grover, Marcus D.** Northern securities company and others, appellants, vs. The United States. Brief for appellant Great northern railway company. M. D. Grover, of counsel for appellant, Great northern railway co. *New York, C. G. Burgoyne, [1903]. cover-title, 144 p. 23<sup>cm</sup>.*  
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9-21606 HD2780.N87A345
- 447 **Stetson, Francis Lynde.** Northern securities company, J. Pierpont Morgan, Robert Bacon, Daniel S. Lamont and others, appellants, vs. The United States. Appeal from the Circuit court of the United States for the district of Minnesota. Brief for the appellants, Morgan, Bacon, and Lamont. Francis Lynde Stetson, David Willcox, of counsel. *New York, C. G. Burgoyne, [1903]. cover-title, 36 p. 23½<sup>cm</sup>.*  
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9-5473 HD2780.N87A35
- 448 **Bunn, Charles Wilson.** Northern securities company and others, appellants, vs. The United States. Brief for appellant Northern Pacific railway company. C. W. Bunn, of counsel. *New York, C. G. Burgoyne, [1903]. cover-title, 42 p. 23<sup>cm</sup>.*  
Supreme court of the United States. October term, 1903. No. 277.  
9-5472 HD2780.N87A34
- 449 **Griggs, John William.** The Northern securities company and others, appellants, vs. The United States, appellees. Brief of John W. Griggs for the Northern securities company, appellant. *New York, Hamilton print, [1903]. cover-title, 53 p. 23<sup>cm</sup>.*  
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9-21613 HD2780.N87A335

- 450 **Johnson, John G.** Northern securities company et al., appellants, vs. The United States. Appeal from the Circuit court of the United States for the district of Minnesota. Brief for Northern securities company, appellant. John G. Johnson, for Northern securities company.

*Philadelphia, Allen, Lane & Scott, prs., [1903]. cover-title, 67 p. 23<sup>cm</sup>.*

No. 277. October term, 1903. In the Supreme court of the United States.

9-21607

**HD2780.N87A332**

- 451 **Young, George Brooks.** Northern securities co., et al., appellants, vs. United States of America, appellees. Brief for Northern securities co., et al., appellants. Geo. B. Young, of counsel.

*[n. p., 1903.] cover-title, 320 p. 24<sup>cm</sup>.*

Supreme court of the United States. October term, 1903, no. 277.

9-5556

**HD2780.N87A33**

- 452 **Beach, Charles Fisk, jr.** The Northern securities company, the Great Northern railway company, the Northern Pacific railway company, and others, appellants, v. The United States, respondent. Railway "mergers" operating a substantial division of territory the result of an irresistible trend or tendency in railway development—Their inevitability as disclosed in the history of railway combination and amalgamation throughout the world—Their consonance with public policy—Their economic validity—Constitutional considerations. Argument *Amicus curiae*.

*[St. Paul, 1903.] cover-title, 95 p. 23<sup>cm</sup>.*

In the Supreme court of the United States. October term, 1903. No. 277.

9-5470

**HD2780.N87A48**

#### COURT DECISIONS, ETC.

- 453 **U. S.** *Circuit court (8th circuit).* United States v. Northern securities co. et al. (Circuit court D. Minnesota, Third division. April 9, 1903.) No. 789.

(*In Federal reporter*, v. 120. St. Paul, 1903. 22½<sup>cm</sup>. p. 721-732. Decision rendered by Judge Thayer.

Also in *Federal anti-trust decisions*, Washington, 1912, v. 2, p. 215-232.

**HD2780.A2 1912,v.2**

- 454 **U. S.** *Supreme court.* The Northern securities company and others *vs.* the United States. Opinion delivered by Mr. Justice Harlan, with concurring and dissenting opinions. Delivered March 14, 1904. March 28, 1904.—Ordered printed.

*Washington, Govt. print. off., 1904. 72 p. 23<sup>cm</sup>. (58th Cong., 2d sess. Senate. Doc. no. 232.)* 4591

No. 277.—October term, 1903.

4-17912

Also in United States reports, New York, 1904, v. 193, p. 197-411;  
and in Federal anti-trust decisions, Washington, 1912, v. 2, p.  
338-532. HD2780.A2 1912,v.2

## COMMENT AND DISCUSSION

- 455 **Clark, Hugo, and Bartlett Brooks.** The trusts and the constitution; a monograph; the evils of allowing one corporation to hold stock in another and the unconstitutionality of state statutes which permit it; the Northern securities company in a new light, and the absolute power in the national government to control or abolish trusts and monopolies.

[*Bangor, Me., The T. W. Burr printing co., 1904.*] 34 p. 23<sup>cm</sup>.  
7-28643 HD2778.C59

- 456 **Cutting, Robert L.** The Northern securities company and the Sherman anti-trust law.

*North American review, Apr. 1902, v. 174: 528-535.*

AP2.N7,v.174

- 457 **Garner, James Wilford.** The Northern securities case.

*American academy of political and social science. Annals, July, 1904, v. 24: 123-147.* H1.A4,v.24

- 458 **Langdell, C. C.** The Northern securities case and the Sherman anti-trust act.

*Harvard law review, June, 1903, v. 16: 539-554.*

*Railway world, July 25-Aug. 1, 1903, v. 29: 847, 850-852; 875, 878-879.* TF1.R68,v.29

- 459 **Meyer, Balthasar Henry.** The action of the federal government in the Northern securities case.

*Railway critic, May, 1907, v. 6: 130-139.* TF1.R42,v.6

- 460 ——— The action of the state authorities in the Northern securities case.

*Railway critic, Jan. 1907, v. 6: 600-610.* TF1.R42,v.6

- 461 ——— History of the Northern securities case.

*Railway age, Mar. 18, 1904, v. 37: 409-412.* TF1.R3,v.37

- 462 **Meyer**, Balthasar Henry. A history of the Northern securities case.

*Railway critic*, Nov. 1906, v. 5: 511-517.

TF1.R42,v.5

- 463 **Noyes**, A. D. [Northern securities decision.]

*Forum*, July, 1903, v. 35: 39-42.

AP2.F8,v.35

- 464 **Randolph**, Carman F. The Northern securities decision.

*North American review*, June, 1903, v. 176: 846-855.

AP2.N7,v.176

- 465 **Whitney**, Edward B. The Northern securities company.

*Yale law journal*, June, 1902, v. 11: 387-398.

This article incorporates a portion of a paper on "Parasite corporations" read at the meeting of American social science association, Apr. 1902.

## STANDARD OIL COMPANY

### FOR THE PROSECUTION

- 466 **United States**. In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri. United States of America v. Standard oil company of New Jersey, and others. No. —.

[*St. Louis?* 1906.] cover-title, 276 p. fold. map. 23<sup>cm</sup>.

Petition of the U. S., "by David P. Dyer, the U. S. attorney for the Eastern district of Missouri."

9-8901

HD2780.S506D2

- 467 **United States**, *petitioner*. In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri. United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants.

*Washington, Govt. print. off.*, 1908-09. 21 v. 23½<sup>cm</sup>.

Counsel for petitioner: Frank B. Kellogg, C. B. Morrison, J. H. Graves; for the defendants, John G. Milburn, M. Rosenthal, J. S. Miller, M. F. Elliott, M. Carey, F. L. Crawford, D. Campbell.

8-35456

HD2780.S506D4

- 468 ——— *Dept. of justice*. United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. Brief of the law for petitioner. George W. Wickersham, Attorney-general. Frank B. Kellogg [etc.] special assistants to the Attorney-general.

[*Washington, Govt. print. off.*, 1909.] 198 p. 23<sup>cm</sup>.

In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.

9-35427

HD2780.S506D5

- 469 **United States.** *Dept. of justice.* United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. Brief of facts and argument for petitioner . . . George W. Wickersham, Attorney-general. Frank B. Kellogg, Charles B. Morrison, Cordenio A. Severance, and J. Harwood Graves, special assistants to the Attorney-general.

[*Washington, Govt. print. off., 1909.*] 2 v. 23<sup>cm</sup>.

In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.

9-35457

**HD2780.S506D44**

- 470 ———— United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. Brief of facts and argument for petitioner. Abridgment of volume 2.

[*Washington, Govt. print. off., 1909.*] v, 225 p. 23<sup>cm</sup>.

In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.

Signed: George W. Wickersham, Attorney-general. Frank B. Kellogg [etc.] special assistants to the Attorney-general.

CONTENTS.—Unfair methods of competition: Local price cutting. Payment on rebates on oil purchases. Operation of bogus independent companies. Reports of competitors' shipments.

9-35436

**HD2780.S506D45**

- 471 ———— In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri. United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. [Petitioner's testimony.]

*Washington, Govt. print. off., 1908.* 6 v. 23½<sup>cm</sup>.

Counsel for petitioner: Frank B. Kellogg, C. B. Morrison, J. H.

Graves; for the defendants, John G. Milburn, M. Rosenthal, J. S.

Miller, M. F. Elliott, M. Carey, F. L. Crawford, D. Campbell.

8-35456

**HD2780.S8A4**

- 472 ———— The Standard oil company of New York, petitioner, v. the United States. Petition for a writ of certiorari to the United States Circuit court of appeals for the Second circuit. Brief in opposition.

[*Washington, Govt. print. off., 1910.*] cover-title, 46 p. incl. diagr. 23<sup>cm</sup>.

No. 775 in the U. S. Supreme court, October term, 1910.

Signed: George W. Wickersham, Attorney-general. William S. Kenyon, assistant to the Attorney-general, [etc.]

10-36128

**HD2780.S510B5**

- 473 **United States.** *Dept. of justice.* Standard oil company of New Jersey et al., appellants, v. United States of America, appellee. Brief for the United States.  
*[Washington, Govt. print. off., 1910.] 2 v. fold. tables. 23cm.*  
 U. S. Supreme court, October term, 1909. No. 725.  
 10-35346 **HD2780.S506D7**
- 474 ——— Standard oil company of New Jersey, et al., appellants, v. United States of America, appellee. Reply brief for the United States.  
*[Washington, Govt. print. off., 1910.] cover-title, 1 p. l., 66 p. 13 fold. tab. 23cm.*  
 No. 398 in the U. S. Supreme court, October term, 1910.  
 "George W. Wickersham, Attorney general. Frank B. Kellogg, Cordenio A. Severance, special assistants to the Attorney general."  
 10-35031 **HD2780.S506D8**
- 475 ——— Standard oil company of New Jersey et al., appellants, v. United States of America, appellee. Reply brief for the United States.  
*[Washington, Govt. print. off., 1911.] cover-title, 1 p. l., 68 p. 17 fold. tab. 23cm.*  
 No. 398 in the U. S. Supreme court, October term, 1910.  
 11-35093 **HD2780.S506D82**
- 476 ——— Standard oil company of New Jersey et al., appellants, v. United States of America, appellee. Oral argument of the Attorney general on behalf of the United States.  
*[Washington, Govt. print. off., 1911.] cover-title, 25 p. 23cm.*  
 No. 398 in the U. S. Supreme court, October term, 1910.  
 11-35215 **HD2780.S506D85**
- 477 **Kellogg, Frank Billings.** Standard oil company of New Jersey et al., appellants, v. United States of America, appellee. Transcript of stenographer's minutes of the oral argument of Frank B. Kellogg on behalf of the United States.  
*[Washington, Govt. print. off., 1911.] cover-title, 76 p. 23cm.*  
 No. 398 in the U. S. Supreme court, October term, 1910.  
 11-35214 **HD2780.S506D86**

## FOR THE DEFENSE

- 478 **Standard oil company** *p'aintiff*. Transcript of record. Proceedings in United States Circuit court of appeals, seventh circuit, October term, A. D. 1907. No. 1409. Standard oil company, a corporation organized and existing under the laws of Indiana, plaintiff in error, vs. United States of America, defendant in error. In error to the District court of the United States for the Northern district of Illinois, Eastern division.

[*Washington, Govt. print. off., 1908.*] *cover-title, ii, 101 p. 23<sup>cm</sup>.*

8-37750

HD2780.S506B28

- 479 **Standard oil company**, *respondent*. The United States, petitioner, v. Standard oil company, a corporation existing under the laws of Indiana, respondent. Answer of respondent to petition for certiorari.

*New York, C. G. Burgoyne, [1908]. cover-title, 44 p. 23<sup>cm</sup>.*

In the Supreme court of the United States. October term, 1908. No. 628.

Signed: John S. Miller, Moritz Rosenthal, A. D. Eddy, for respondent.

9-8893

HD2780.S506B54

- 480 **Johnson, John G.** Standard oil company of New Jersey et al., appellants, against United States of America, appellee. Brief for appellants. John G. Johnson, John G. Milburn, of counsel.

*New York, C. G. Burgoyne, [1909?]. 2 v. fold. tables, diags. 23½<sup>cm</sup>.*

10-13155

HD2780.S506D6

- 481 ——— United States of America vs. Standard oil company and others. Brief on behalf of defendants Standard oil company and others. John G. Johnson, John G. Milburn, of counsel.

[*n. p., 1909.*] *1 p. l., 188 p. 23½<sup>cm</sup>.*

9-22039

HD2780.S506D58

- 482 **Rosenthal, Moritz.** United States of America, petitioner, vs. Standard oil company (New Jersey) et al., defendants. Brief for defendants on the facts. Moritz Rosenthal, Frank L. Crawford, Chauncey W. Martyn, Douglas Campbell, Walter F. Taylor, of counsel.

[*n. p., 1909.*] *3 v. diags. (partly fold.) 23½<sup>cm</sup>.*

In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.

CONTENTS.—I. Historical statement. Pipe lines. Competitors.—II. Railroad freight rates.—III. Profits and prices. "Unfair competition." Galena-Signal oil co.

9-22040

HD2780.S506D55

- 483 **Watson, David Thompson.** United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. Defendants' brief on the law. D. T. Watson, John M. Freeman, Ernest C. Irwin, for respondents.  
*[n. p., 1909.] cover-title, 1 l., iii, 188, 5 p. 23½ cm.*  
 In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.  
 9-22037 **HD2780.S506D59**
- 484 ——— United States of America, petitioner, v. Standard oil company of New Jersey et al., defendants. Defendants' brief on the facts. D. T. Watson, John M. Freeman, Ernest C. Irwin, for respondents.  
*[n. p., 1909.] cover-title, [2], 157, 3 p. 23½ cm.*  
 In the Circuit court of the United States for the Eastern division of the Eastern judicial district of Missouri.  
 9-22038 **HD2780.S506D56**
- 485 ——— Standard oil company et al., appellants, vs. the United States. Brief on the law on part of appellants. D. T. Watson, John M. Freeman, Ernest C. Irwin, for appellants.  
*Pittsburg, Smith bros. co. inc., Franklin print, [1910]. cover-title, v, 289, 4 p. 23 cm.*  
 In the Supreme court of the United States. October term, 1909. no. 725.  
**HD2780.S506D62**
- Appendix to brief on the law for appellants. D. T. Watson, John M. Freeman, Ernest C. Irwin, for appellants.  
*Pittsburg, Smith bros. co. inc., Franklin print, [1910]. cover-title, 38 p. 23 cm.*  
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 Appeal from the U. S. Circuit court for the Eastern district of Missouri.  
 10-13213-4 **HD2780.S506D62 App.**
- 486 ——— Standard oil company et al., appellants, vs. the United States. Revised brief on the law on part of appellants on re-argument. D. T. Watson, for appellants.  
*Pittsburgh, Pa., Smith bros. co. inc., [1910]. cover-title, 3 p. l., 358 p. 23 cm.*  
 No. 398 in the U. S. Supreme court, October term, 1910, appeal from the U. S. Circuit court for the Eastern district of Missouri.  
 13-12418

- 487 **Milburn**, John George. Standard oil company of New Jersey et al., appellants, against United States of America, appellee. Oral arguments on behalf of appellants.

*New York, C. G. Burgoyne, [1911]. cover-title, 1 p. l., 103 p. 23½<sup>cm</sup>.*

No. 398 in the U. S. Supreme court, October term, 1910, on reargument of the appeal from the Circuit court, Eastern district of Missouri, Eastern division.

Contains the arguments of John G. Milburn, David T. Watson, and John G. Johnson.

11-8119

HD2780.S506D9

#### COURT DECISIONS, ETC.

- 488 **U. S.** *Circuit court (8th circuit).* United States v. Standard oil co. of New Jersey et al. (Circuit court, E. D. Missouri, E. D. March 7, 1907.) No. 5,371.

(*In Federal reporter*, v. 152. St. Paul, 1907. 22½<sup>cm</sup>. p. 290-297.) Decision rendered by Judge Sanborn.

Also in Federal anti-trust decisions, v. 3, Washington, 1912, p. 173-184.

HD2780.A2 1912,v.3

- 489 ——— United States v. Standard oil co., of New Jersey et al. (Circuit court, E. D. Missouri, E. D. November 20, 1909.) No. 5,371.

(*In Federal reporter*, v. 173. St. Paul, 1910. 22½<sup>cm</sup>. p. 177-200.) Decision rendered by Judge Sanborn; concurring opinion by Judge Hook.

Also in Federal anti-trust decisions, v. 3, Washington, 1912, p. 696-730.

HD2780.A2 1912,v.3

- 490 ——— United States v. Standard oil company of New Jersey and others. Supplemental decree.

[*Washington, Govt. print. off., 1911.*] cover-title, 14 p. 23<sup>cm</sup>. 11-35897

HD2780.S506D93

- 491 ——— *Supreme court.* The Standard oil company of New Jersey et al., appellants v. the United States. Opinion of the court delivered by Mr. Chief Justice White. Dissenting opinion by Mr. Justice Harlan. Delivered May 15, 1911.

*Washington, Govt. print. off., 1911. 43 p. 23½<sup>cm</sup>. (62d Cong., 1st sess. Senate. Doc. 34.)*

No. 398.—October term, 1910.

11-35486

HD2780.S506E5

Also in United States reports, v. 221, p. 1-106; and in Federal anti-trust decisions, Washington, 1912, v. 4, p. 79-168.

HD2780.A2 1912,v.4

## COMMENT AND DISCUSSION

- 492 **Butler, Pierce.** Decisions of the Supreme court in the Standard oil company and tobacco trust cases.  
(*In Minnesota state bar association. Proceedings, 1911. [St. Paul, 1911.] 23<sup>cm</sup>. p.69-76.*)
- 493 **Cotton, J. B.** The recent trust cases.  
(*In Minnesota state bar association. Proceedings, 1911. [St. Paul, 1911.] 23<sup>cm</sup>. p. 58-68.*)  
On the Standard oil and tobacco trust decisions of the United States Supreme court.
- 494 **Evans, Harold.** The Standard oil and American tobacco cases.  
*University of Pennsylvania law review, Feb. 1912, v. 60: 311-323.*
- 495 **Humphrey, Alex. P.** Discussion of Standard oil co. and American tobacco co. decisions.  
(*In Kentucky state bar association. Proceedings, 1911. Louisville, 1911. 23<sup>cm</sup>. p. 222-267.*)
- 496 **Kellogg, Frank B.** Results of the Standard oil decision.  
*American review of reviews, June, 1912, v. 45: 728-730.*  
AP2.R4,v.45
- 497 **Lay, George C.** The Standard oil and American tobacco decisions.  
*Trust companies, June, 1911, v. 12: 421-424.*  
HG4341.T8,v.12
- 498 **Noble, Herbert.** The Standard oil case.  
*American law review, Jan.-Feb. 1910, v. 44: 1-11.*
- 499 **Noyes, Alexander D.** The Standard oil decision.  
*Forum, Jan. 1910, v. 43: 40-48.* AP2.F8,v.43
- 500 **Raymond, Robert L.** The Standard oil and tobacco cases.  
*Harvard law review, Nov. 1911, v. 25: 31-58.*
- 501 **Roosevelt, Theodore.** The Standard oil decision—and after.  
*Outlook, June 3, 1911, v. 98: 239-240.* AP2.O8,v.98
- 502 **Royall, William L.** The trust decisions.  
*Central law journal, July 28, 1911, v. 73: 57-65.*
- 503 **Seager, Henry Rogers.** The recent trust decisions.  
*Boston, Ginn & company, 1911. 1 p. l., p. 581-614. 23<sup>cm</sup>. 11-31946* HD2778.S4  
"Advance sheets from Political science quarterly, vol. xxvi, no. 4, December, 1911." H1.P8,v.26  
"The Standard oil decision": p. 591-598.

- 504 **Spencer, Arthur W.** The Standard oil decision.

*Green bag, June, 1911, v. 23: 279-284.*

- 505 **Standard oil company.** [Statements on the subject of the separation of the various corporations of the company under the ruling of the courts.]

[*New York, 1911.*] 3 broadsides in 1 v. 27½-37<sup>cm</sup>.

CONTENTS.—Letter to the stockholders, July 28, 1911, concerning distribution of stocks.—List of the transfer offices of the various companies whose stocks have been distributed.—Letter, Nov. 15, 1911, showing the method of distribution on the basis of the ownership of 1 share of Standard oil company (New Jersey) stock.

12-7730

HD2769.04S7

- 506 **The Supreme court decisions.**

*North American review, July, 1911, v. 194: 1-95.*

CONTENTS.—The judgment, by Peter S. Grosscup.—“The reason,” by William J. Bryan.—The effect, by John Larkin.—The record, by Frederic R. Coudert.—The quandary, by James M. Beck.—The remedy, by Samuel Untermyer.

AP2.N7,v.194

- 507 **Swift, Ray L.** An interpretation of the Standard oil and American tobacco cases. Do they read the word “unreasonable” into the law?

*Case and comment, Feb. 1912, v. 18: 519-524.*

- 508 **Walker, Albert Henry.** A review of the opinions of the Chief justice of the United States in the Standard oil and tobacco cases.

*American law review, Sept.-Oct. 1911, v. 45: 718-749.*

- 509 ——— The “unreasonable” obiter dicta of Chief Justice White in the Standard oil case; a critical review.

[*New York*], 1911. cover-title, 21 p. 25½<sup>cm</sup>.

Also printed in Central law journal, June 9, 1911, v. 72: 413-423.  
11-21080

HD2780.S7W3

- 510 **Wilgus, H. L.** The Standard oil decision; the rule of reason.

*Michigan law review, June, 1911, v. 9: 643-670.*

## AMERICAN TOBACCO COMPANY

### FOR THE PROSECUTION

- 511 **United States, petitioner.** The United States of America, petitioner, against the American tobacco company and others, defendants. Original petition.

*Washington, Govt. print. off., 1907. cover-title, 135 p. 27<sup>cm</sup>.*

In the Circuit court of the United States for the Southern district of New York.

9-26716

- 512 **United States.** Transcript of record . . . Supreme court of the United States. October term, 1910. No. 118. The United States of America, appellant, vs. the American tobacco company, and others. No. 119. The American tobacco company, and others, appellants, vs. the United States of America. Appeals from the Circuit court of the United States for the Southern district of New York . . . Filed December 23, 1908. (21456, 21457.)

[*New York, Press of Appeal printing co., 1908.*] 5 v. fold. tables. 24<sup>cm</sup>.

CONTENTS.—I. Pleadings, decrees, etc.—II—IV. Testimony of witnesses.—V. Government's exhibits.

13-12395

- 513 **U. S. Dept. of justice.** The United States of America, appellant, v. the American tobacco company and others. The American tobacco company and others, appellants, v. the United States of America. Brief for the United States.

[*Washington, Govt. print. off., 1910.*] cover-title, 329 p. 23<sup>cm</sup>.

No. 118, 119, in the U. S. Supreme court, October term, 1910, on appeal from the Circuit court, Southern district of New York.

Signed: George W. Wickersham, Attorney general. J. C. McReynolds, special assistant to the Attorney general.

10-35034

HD2780.T6A56

- 514 ——— The United States of America, appellant, v. the American tobacco company and others . . . The American tobacco company and others, appellants, v. the United States of America . . . Oral argument of the Attorney-general on behalf of the United States, in reply to defendants.

[*Washington, Govt. print. off., 1910.*] cover-title, 36 p. 23½<sup>cm</sup>.

No. 118 and 119 in the U. S. Supreme court, October term, 1909, on appeal from the U. S. Circuit court, Southern district of New York.

No. 118 and 119 stamped over printed no. 316 and 317 respectively.

Signed: George W. Wickersham, Attorney-general.

13-12404

- 515 ——— No. 118. The United States of America, appellant, v. The American tobacco company et al., appellees. No. 119. The American tobacco company et al., appellants, v. the United States of America, appellee. Concluding argument of the Attorney general on behalf of the United States.

[*Washington, Govt. print. off., 1911.*] cover-title, 39 p. 23<sup>cm</sup>.

No. 118 and 119 in the U. S. Supreme court, October term, 1910.

Geo. W. Wickersham, Attorney general.

11-35084

HD2780.T6A6

- 516 **U. S.** *Dept. of justice.* The United States of America v. the American tobacco company and others. Oral argument of George W. Wickersham, Attorney general of the United States, on hearing of application for approval of plan of disintegration.

[*Washington, Govt. print. off., 1911.*] cover-title, 16 p. 23<sup>cm</sup>.

In the U. S. Circuit court for the Southern district of New York.

11-35900

HD2708.A7A3 1911h

- 517 ——— *Bureau of corporations.* United States of America v. American tobacco company, and others. Memorandum for the Attorney general on the investigation of the disintegration plan of the tobacco combination. Prepared by Dr. A. C. Muhse, of the Bureau of corporations.

[*Washington, Govt. print. off., 1911.*] 12, 2 p. incl. tables. 23½<sup>cm</sup>.

Includes "Table showing sales of product of the American tobacco co., Liggett & Myers tobacco co., and P. Lorillard co., in the United States, separated by geographic divisions, prepared by Dr. A. C. Muhse, 1910, [which] supplements Table 1 of Memorandum on the investigation of the disintegration plan of the American tobacco co."

11-35904

HD2769.T6A5 1911

- 518 ——— *Dept. of justice.* Prosecution of American tobacco co. Letter from the Attorney general, transmitting, in response to House resolution, information as to prosecutions against the American tobacco co. or its constituent companies, etc.

[*Washington, Govt. print. off., 1911.*] 2 p. 24<sup>cm</sup>. (62d Cong., 1st sess. *House. Doc. 69.*)

Geo. W. Wickersham, Attorney general.

11-35492

HD2780.A7A3 1911a

#### FOR THE DEFENSE

- 519 **American tobacco company, defendant.** The United States of America, petitioner, against the American tobacco company and others, defendants. Answer.

*New York, Evening post job printing office, [1908?]. cover-title, 73 p. 28<sup>cm</sup>.*

In the Circuit court of the United States for the Southern district of New York.

9-17988\*

HD2780.T6A3

- 520 **Ivins**, William Mills. The United States of America, petitioner-appellant, against the American tobacco company and others, defendants-appellees. The American tobacco company and others, appellants, against the United States of America, appellee . . . Brief and argument for the defendant, the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second. William M. Ivins, of counsel. [New York? 1911.] cover-title, 208 p. 23<sup>cm</sup>.

October term, 1910, no. 118 and 119 in the U. S. Supreme court, cross appeals from the Circuit court of the United States for the Southern district of New York.

13-12402

- 521 ——— United States, petitioner-appellant, against the American tobacco company and others, defendants-appellees, the American tobacco company and others, appellants, against the United States . . . appellee . . . Brief and argument for the defendant, the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second. William M. Ivins, of counsel.

[New York? 1911.] cover-title, xxv, 211 p. 23<sup>cm</sup>.

October term, 1910, nos. 118 and 119 in the U. S. Supreme court, cross appeals from the U. S. Circuit court, Southern district of New York.

11-32900

HD2780.A7A3 1910m

- 522 [**Johnson**, John G.] The United States, petitioner-appellant, against the American tobacco company and others, defendants-appellees. The American tobacco company and others, appellants, against the United States, appellee. Brief and argument for the defendant the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second.

New York, *The Evening post job printing office*, [1910?] cover-title, 1 p. l., 278 p. 23<sup>cm</sup>.

In the U. S. Supreme court, no. 316 and 317, cross appeals from the U. S. Circuit court, Southern district of New York.

John G. Johnson, Wm. J. Wallace, W. W. Fuller, De Lancey Nicoll, Junius Parker, of counsel.

11-34111

HD2780.A7A3 1910d

- 523 [Johnson, John G.] The United States, petitioner-appellant, against the American tobacco company and others, defendants-appellees. The American tobacco company and others, appellants, against the United States . . . appellee . . . Reply brief for the defendant the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second.

*New York, The Evening post job printing office, [1910?]. cover-title, 41 p. 23<sup>cm</sup>.*

No. 316-317 in the U. S. Supreme court, cross appeals from the U. S. Circuit court, Southern district of New York.

Signed: John G. Johnson, Wm. J. Wallace, W. W. Fuller, De Lancey Nicoll, Junius Parker.

11-34110

HD2780.A7A3 1910f

- 524 [——] The United States against the American tobacco company and others. The American tobacco company and others against the United States. Supplemental brief of the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second.

*New York, The Evening post job printing office, [1911?]. cover-title, 47 p. 23<sup>cm</sup>.*

In the U. S. Supreme court, October term, 1910, 118 (formerly 316) and 119 (formerly 317), cross appeals from the Circuit court, Southern district of New York.

Signed by John G. Johnson, Wm. J. Wallace, W. W. Fuller, De Lancey Nicoll, Junius Parker.

11-32901

HD2780.A7A3 1910k

- 525 ——— The United States of America, petitioner-appellant, against the American tobacco company and others, defendants-appellees . . . The American tobacco company and others, appellants, against the United States of America, appellee . . . Oral argument of John G. Johnson, esq., for the defendant: the American tobacco company and certain other defendants-appellees in the first of said appeals and appellants in the second.

*New York, The Evening post job printing office, [1910]. cover-title, 33 p. 23<sup>cm</sup>.*

No. 118 and 119 in the U. S. Supreme court, cross appeals from the U. S. Circuit court, Southern district of New York.

No. 118 and 119 stamped over printed no. 316 and 317 respectively.

13-12403

- 526 **Nicoll, De Lancey.** The United States of America, appellant, v. the American tobacco company and others. The American tobacco company and others, appellants, v. the United States of America. Oral argument of De Lancey Nicoll, John G. Johnson, Junius Parker, for the American tobacco company and others; and of Sol. M. Stroock for United cigar stores company, on January 9, 10 and 11, 1911.

*New York, The Evening post job printing office, [1911]. cover-title, 143 p. 23<sup>cm</sup>.*

In the U. S. Supreme court, October term, 1910, no. 118 (formerly 316) and no. 119 (formerly 317).

11-32899

HD2780.A7A3 1910s

- 527 **Hornblower, William Butler.** United States of America, appellant, against the American tobacco company and others, appellees. Oral argument of William B. Hornblower, on behalf of the Imperial tobacco company of Great Britain and Ireland, limited, appellee.

*New York, C. G. Burgoyne, [1911]. cover-title, 43 p. 23½<sup>cm</sup>.*

No. 118 in the U. S. Supreme court, October term, 1910.

13-12399

- 528 ——— United States of America, appellant, against the American tobacco company and others, appellees. Brief on reargument for the Imperial tobacco company of Great Britain and Ireland, limited, appellee (impleaded with the American tobacco company and others). William B. Hornblower, John Pickrell, William W. Miller, Morgan M. Mann, of counsel.

*New York, C. G. Burgoyne, [1911]. cover-title, 80 p. 23½<sup>cm</sup>.*

No. 118 in the U. S. Supreme court, October term, 1910.

13-12397

- 529 **Carruth, Charles R.** The United States of America, appellant, vs. the American tobacco company and others. The American tobacco company and others, appellants, vs. the United States of America . . . Brief for appellee R. P. Richardson, jr., & company, inc. Charles R. Carruth, Charles J. McDermott, C. B. Watson, James T. Morehead, of counsel.

*N[ew] Y[ork], The Evening post job printing office, [1909]. cover-title, 8 p. 23½<sup>cm</sup>.*

No. 118 and 119 in the Supreme court, on appeal from the Circuit court of the United States, Southern district of New York.

No. 118 and 119 stamped over printed no. 316 and 317 respectively.

13-12401

- 530 **Stroock**, Solomon Marcus. The United States of America, appellant, against the American tobacco company and others, appellees. Brief and argument for the defendant: United cigar stores company, appellee. Stroock & Stroock, solicitors for United cigar stores company . . . Sol. M. Stroock, of counsel.

*N[ew] Y[ork], The Evening post job printing office, [1909]. cover-title, ii, 53 p. 23½cm.*

No. 118 in the U. S. Supreme court.

13-12400

- 531 **Thacher**, Thomas. United States of America, against American tobacco company et al., appellees . . . American tobacco company et al., appellants, against United States of America, appellee. Brief on question common to this case and Thomsen v. Union castle S. S. co., filed by leave of the court by counsel for defendants in the latter case. Thomas Thacher, J. Parker Kirlin [amici curiae] counsel.

*N[ew] Y[ork], The Evening post job printing office, [1910]. cover-title, 19 p. 23½cm.*

No. 118 and 119 in U. S. Supreme court, October term, 1909.

No. 118 and 119 stamped over printed no. 316 and 317 respectively.

13-12396

- 532 **Cockran**, William Bourke. The United States of America, appellant, vs. the American tobacco company and others, appellees . . . The American tobacco company and others, appellants, vs. the United States of America, appellee. Brief [by] W. Bourke Cockran [amicus curiae] . . .

*N[ew] Y[ork], The Evening post job printing office, [1910]. cover-title, 1 p. l., 52 p. 23½cm.*

No. 118 and 119 in the U. S. Supreme court.

No. 118 and 119 stamped over printed no. 316 and 317 respectively.

13-12398

#### COURT DECISIONS, ETC.

- 533 **U. S.** *Circuit court (2d circuit).* In the Circuit court of the United States for the Southern district of New York. The United States of America v. The American tobacco company and others. Before: Lacombe, Coxe, Noyes, and Ward, circuit judges. Opinions—Filed Nov. 7, 1908.

*[Washington, Govt. print. off., 1908.] 32 p. 23cm.*

9-11743

HD2780.T6A49

Also in Federal reporter, v. 164, St. Paul, 1909, p. 700-728; and in Federal anti-trust decisions, Washington, 1912, v. 3, p. 427-470.

HD2780.A2 1912,v.3

Printed as Senate document 646, 60th Congress, 2d session.

5407

HD2780.T6A5

- 534 U. S. *Circuit Court (2d circuit)*. United States v. American tobacco co. et al. (Circuit court S. D. New York. December 15, 1908.)  
 (In Federal reporter, v. 164. St. Paul, 1909. 22½<sup>cm</sup>. p. 1024-1025.)  
 Final decree in case decided Nov. 7, 1908.  
 Also printed in Federal anti-trust decisions, Washington, 1912, v. 3, p. 468-470. **HD2780.A2 1912,v.3**
- 535 ——— *Supreme court*. The United States of America, appellant v. the American tobacco company and others. Opinion of the Court delivered by Mr. Chief Justice White. Dissenting opinion by Mr. Justice Harlan. Delivered May 29, 1911.  
*Washington, Govt. print. off., 1911. 32 p. 23<sup>cm</sup>. (62d Cong., 1st sess. Senate. Doc. 40.)*  
 Nos. 118 and 119.—October term, 1910.  
 11-35499 **HD2780.A7A3 1911**  
 Also in United States reports, v. 221, p. 106-193; and in Federal anti-trust decisions, Washington, 1912, v. 4, p. 168-245.  
**HD2780.A2 1912,v.4**
- 536 ——— *Circuit court (2d circuit)*. The United States of America, petitioner, against the American tobacco company and others, defendants. Decree on the mandate from the Supreme court of the United States.  
*[Washington, Govt. print. off., 1911.] cover-title, 5 p. 23<sup>cm</sup>.*  
 In the U. S. Circuit court for the Southern district of New York.  
 11-35899 **HD2780.A7A3 1911c**
- 537 ——— ——— The United States of America v. the American tobacco company and others. Before Lacombe, Coxe, Ward, and Noyes, circuit judges. Opinion of the Court on hearing of application for approval of plan of disintegration. November 8, 1911.  
*[Washington, Govt. print. off., 1911.] cover-title, 40 p. 23<sup>cm</sup>.*  
 U. S. Circuit court, Southern district of New York.  
 11-35901 **HD2780.A7A3 1911k**
- 538 ——— ——— United States of America vs. the American tobacco company and others. Opinions of the Court, and decree.  
*New York, The Evening post job printing office, [1911.] cover-title, 69 p. 26½ x 20½<sup>cm</sup>.*  
 In U. S. Circuit court for the southern district of New York. Dated Nov. 15, 1911.  
 11-33770 **HD2780.A7A3 1911m**  
 Also in Federal reporter, v. 191, p. 371-431.

## COMMENT AND DISCUSSION

- 539 **American tobacco company.** Circular to security holders, December 9, 1911.  
*[Jersey City? 1911.]* [7] p. 28<sup>cm</sup>.  
 Regarding the disintegration of the company, distribution of stocks, etc.  
 12-3459 HD9139.A6 1911
- 540 **Brandeis, Louis D.** An illegal trust legalized.  
*World to-day, Dec. 1911, v. 21: 1440-1441.* AP2.W75,v.21
- 541 **Butler, Pierce.** Decisions of the Supreme court in the Standard oil company and tobacco trust cases.  
*(In Minnesota state bar association. Proceedings, 1911. [St. Paul, 1911.] 23<sup>cm</sup>. p. 69-76.)*
- 542 **Cotton, J. B.** The recent trust cases.  
*(In Minnesota state bar association. Proceedings, 1911. [St. Paul, 1911.] 23<sup>cm</sup>. p. 58-68.)*  
 On the Standard oil and tobacco trust decisions of the United States Supreme court.
- 543 **Evans, Harold.** The Standard oil and American tobacco cases.  
*University of Pennsylvania law review, Feb. 1912, v. 60: 311-323.*
- 544 **Freemantle, John.** Signing a blank check.  
*Public, Oct. 27, 1911, v. 14: 1093-1096.*  
 On the reorganization of the American tobacco company.  
 AP2.P87,v.14
- 545 **Hill, Percival S.** Statement of Percival S. Hill, president of the American tobacco company. [Nov. 1912.]  
*[New York, 1912.] 13 numb. l. 28<sup>cm</sup>.*  
 Typewritten copy.  
 Statement concerning the effect of the order of the Supreme court disintegrating the American tobacco company. HD2769.T6H5
- 546 **Humphrey, Alex. P.** Discussion of Standard oil co. and American tobacco co. decisions.  
*(In Kentucky state bar association. Proceedings, 1911. Louisville, 1911. 23<sup>cm</sup>. p. 222-267.)*
- 547 **Lay, George C.** The Standard oil and American tobacco decisions.  
*Trust companies, June, 1911, v. 12: 421-424.*  
 HG4341.T8,v.12

- 547a **Muhse**, Albert Charles. The disintegration of the tobacco combination.  
*Political science quarterly*, June, 1913, v. 28: 249-278.  
H1.P8,v.28
- 548 **Raymond**, Robert L. The Standard oil and tobacco cases.  
*Harvard law review*, Nov. 1911, v. 25: 31-58.
- 549 **Roosevelt**, Theodore. The Tobacco trust and the court.  
*Outlook*, Nov. 25, 1911, v. 99: 711. AP2.O8,v.99
- 550 **Royall**, William L. The trust decisions.  
*Central law journal*, July 28, 1911, v. 73: 57-65.
- 551 **Seager**, Henry Rogers. The recent trust decisions.  
*Boston, Ginn & company*, 1911. 1 p. l., p. 581-614. 23<sup>cm</sup>.  
"Advance sheets from *Political science quarterly*, vol. xxvi, no. 4, December, 1911."  
"The American tobacco company decision": p. 598-604.  
11-31946 HD2778.S4
- 552 **Southard**, L. C. The Sherman antitrust act [as interpreted in the American tobacco company case].  
*Maine law review*, Mar. 1910, v. 3: 162-169.
- 553 **U. S.** Congress. Senate. Committee on the judiciary. United States v. the American tobacco co. Adverse report.  
<To accompany S. 3607.>  
[*Washington, Govt. print. off.*, 1912.] 20, 29 p. 23½<sup>cm</sup>. (62d Cong., 2d sess. Senate. Rept. 545.)  
Calendar no. 492.  
Submitted by Mr. Clark, of Wyoming. Ordered printed April 2, 1912.  
Part 2 consists of "Views," submitted by Mr. Cummins (for himself), Mr. Borah, Mr. Culberson, Mr. Nelson, and Mr. Brown.  
12-35460 HD2769.T6 15 1912
- 554 **Untermeyer**, Samuel. The tobacco trust farce. Corporation attorney advocates a government commission to regulate trusts.  
*World to-day*, Dec. 1911, v. 21: 1429-1438. AP2.W75,v.21
- 555 **Walker**, Albert Henry. A review of the opinions of the Chief justice of the United States in the Standard oil and tobacco cases.  
*American law review*, Sept.-Oct. 1911, v. 45: 718-749.
- 556 ——— The Supreme court wrong?  
*World to-day*, Dec. 1911, v. 21: 1441-1442.  
A criticism of the tobacco trust decision. AP2.W75,v.21

- 557 **Wickersham**, George Woodward. The government's side [of the tobacco trust case].

*World to-day*, Dec. 1911, v. 21: 1438-1439. AP2.W75,v.21

## UNION PACIFIC MERGER

## FOR THE PROSECUTION

- 558 **United States**, complainant. The United States of America, complainant, v. the Union Pacific railroad company; the Oregon short line railroad company, [et al.] defendants. Evidence and proceedings before the special examiner.

[*Washington, Govt. print. off.*, 1909]-10. 11 v. 23<sup>cm</sup>.

No. 993. In equity. In the Circuit court of the United States, district of Utah.

Special examiner: Sylvester G. Williams.

9-35426

HE2712.U5C55

- 559 **United States**, appellant. The United States, appellant, v. the Union Pacific railroad company; the Oregon short line railroad company, et al. Motion to advance.

[*Washington, Govt. print. off.*, 1911.] cover-title, 3 p. 23<sup>cm</sup>.

No. 820 in the U. S. Supreme court, October term, 1911; appeal from the U. S. Circuit court, district of Utah.

11-35853\*

HE2712.U5C57

- 560 ——— Transcript of record. Supreme court of the United States. October term, 1911. No. 820. The United States of America, appellant, vs. the Union Pacific railroad company et al. Appeal from the Circuit court of the United States for the district of Utah. Filed October 9, 1911.

[*Washington, Govt. print. off.*, 1911.] 12 v. fold. tables, fold. maps. 23½<sup>cm</sup>.

Cover-title.

CONTENTS.—I-VII. Evidence for complainant.—VIII-X. Evidence for defendants.—XI. Evidence for defendants. Evidence for complainant in rebuttal.—XII. Pleadings, orders, etc.

13-12371

- 561 **U. S.** *Dept. of justice*. United States of America, appellant, vs. the Union Pacific railroad company [et al.] . . . respondents. Appellant's brief of the law. Geo. W. Wickersham, Attorney general. Frank B. Kellogg, Cordenio A. Severance, special assistants to the Attorney general.

[*n. p.*, 1912.] cover-title, v, 115 p. 23½<sup>cm</sup>.

No. 820 in the U. S. Supreme court, October term, 1911.

13-12376

- 562 **U. S. Dept. of justice.** The United States of America, appellant, vs. the Union Pacific railroad company et al., respondents. Appellant's brief of facts. Geo. W. Wickersham, Attorney general, Cordenio A. Severance, Frank B. Kellogg, special assistants to the Attorney general.

[*n. p.*, 1912.] *cover-title*, 5 p. l., [A-1]-A-48, 633 p. 23½ cm.

No. 820 in the U. S. Supreme court, October term, 1911.

13-12378

- 563 **United States, appellant.** The United States of America, appellant, vs. the Union Pacific railroad company, et al., respondents. Map.

[*St. Paul?* 1912.] *cover-title*, map. 79 x 109 cm fold. to 23½ x 16 cm.

No. 820 in U. S. Supreme court, October term, 1911.

13-12379

- 564 **U. S. Dept. of justice.** Union Pacific railroad. In District court for district of Utah, United States v. Union Pacific railroad company, and others; answer.

*Washington, Govt. print. off.*, 1913. 9 p. 23 cm.

Same; decree, 1913. 15 p.

#### FOR THE DEFENSE

- 565 **Dunne, P. F.** The United States of America, appellant, vs. Union Pacific railroad company, et al. . . . Brief (with appendix) for appellees, Union Pacific railroad company, Oregon short line railroad company, Oregon railroad & navigation company, Southern Pacific company. P. F. Dunne, of counsel for appellees.

[*n. p.*, 1912.] *cover-title*, ii, 288 p., 1 l., 157 p. 2 maps. 23½ cm.

No. 820 in the U. S. Supreme court, October term, 1911, appeal from the U. S. Circuit court for the district of Utah.

13-12375

- 566 **Loomis, Nelson Henry.** The United States of America, appellant, vs. Union Pacific railroad company et al. . . . Argument of N. H. Loomis, of counsel for Union Pacific railroad company, Oregon short line railroad company, Oregon railroad & navigation company, Southern Pacific company, appellees.

*New York, C. G. Burgoyne*, [1912]. *cover-title*, iii, 169 p. 2 maps. 23½ cm.

No. 820 in the U. S. Supreme court, October term, 1911, appeal from the U. S. Circuit court for the district of Utah.

13-12374

- 567 **Cravath**, Paul Drennan. The United States of America, appellant, against the Union Pacific railroad company et al., respondents. Memorandum on behalf of individual respondents. Submitted by Paul D. Cravath, of counsel for the respondents Jacob H. Schiff and Otto H. Kahn. James M. Beck, of counsel for the respondent James Stillman.

[*New York?* 1912.] cover-title, 8 p. 23½<sup>cm</sup>.

No. 820 in the U. S. Supreme court, October term, 1911.

13-12373

- 568 **Stambaugh**, H. F. The United States of America, appellant, vs. the Union Pacific railroad company [et al.] . . . brief on behalf of Henry C. Frick. H. F. Stambaugh, D. T. Watson, attorneys for Henry C. Frick.

*Pittsburgh, Pa., Smith bros. co. inc., [1912].* cover-title, 2 p., 1 l., 138 p. 23<sup>cm</sup>.

No. 820 in the U. S. Supreme court, October term, 1911, appeal from the U. S. Circuit court for the district of Utah.

13-12372

- 569 **Dunne**, P. F. The United States of America, appellant, vs. the Union Pacific railroad company, et al. . . . Defendants' abstract of testimony. P. F. Dunne and N. H. Loomis, solicitors for defendants.

[*n. p., 1912?*] cover-title, 1 p. l., 955, xxxix p. fold. tables. 24<sup>cm</sup>.

No. 820 in the U. S. Supreme court, October term, 1911, appeal from the U. S. Circuit court for the district of Utah.

13-12377

#### COURT DECISIONS ETC.

- 570 **U. S.** *Circuit court (8th circuit).* United States v. Union Pac. R. co. et al. (Circuit court, D. Utah. June 24, 1911.) No. 993.

(*In Federal reporter*, v. 188. St. Paul, 1911. 22½<sup>cm</sup>. p. 102-127.) Decision rendered by Judge Adams; dissenting opinion by Judge Hook.

Also in *Federal anti-trust decisions*, Washington, 1912, v. 4, p. 303-338.

HD2780.A2 1912,v.4

- 571 ——— *Supreme court.* United States v. Union Pacific railroad company. Appeal from the Circuit court of the United States for the District of Utah. No. 446. Argued April 19, 22, 23, 1912.—Decided December 2, 1912.

(*In U. S. Supreme court.* United States reports, v. 226. New York, 1913. 23½<sup>cm</sup>. p. 61-98.)

- 572 **U. S. Supreme court.** United States v. Union Pacific railroad company. Motion as to form of mandate. No. 446. Submitted December 19, 1912.—Decided January 6, 1913. (*In U. S. Supreme court. United States reports, v. 226. New York, 1913. 23½<sup>cm</sup>. p. 470-477.*)

## COMMENT AND DISCUSSION

- 573 **Daggett, Stuart.** The decision on the Union Pacific merger. *Quarterly journal of economics, Feb. 1913, v. 27: 295-328.*  
Also issued separately, Cambridge, Mass., 1913. **HB1.Q3,v.27**
- 574 **Escher, Franklin.** The Union Pacific muddle. A traffic alliance rather than change of ownership of the Central Pacific seems the logical solution of the difficulty. *Harper's weekly, Mar. 29, 1913, v. 57: 22-23.* **AP2.H32,v.57**
- 575 ——— The Union Pacific-Southern Pacific divorce. The Supreme court's decision in the famous Union Pacific merger case, and its bearing on the earning power of these and other railway securities. *Harper's weekly, Dec. 21, 1912, v. 56: 22.* **AP2.H32,v.56**
- 576 **The Union Pacific decision.** *Journal of political economy, Jan. 1913, v. 21: 71-73.*  
**HB1.J7,v.21**
- 577 **Vincent, R. W.** How the egg was scrambled. Some inside history of the Union Pacific-Southern Pacific merger now being unmerged. *Moody's magazine, May, 1913, v. 15: 377-380.*  
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